

<p>8. ZONING – 2240 ROGER STEVENS DRIVE</p> <p>ZONAGE – 2240, PROMENADE ROGER-STEVENS</p>

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 to change the zoning of part of 2240 Roger Stevens Drive from Village Residential First Density, Subzone C, with an Exception (V1C[309r]) to Village Residential First Density, Subzone G, with an Exception (V1G[667r]); and Village Residential First Density, Subzone G, with an Exception (V1G[xxxr]) to permit a 13-lot residential subdivision as shown in Documents 1 and 3 and detailed in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification au Règlement de zonage 2008-250 afin de faire passer le zonage d'une partie du 2240, promenade Roger-Stevens de Zone résidentielle de village de densité 1, sous-zone C, dotée d'une exception (V1C[309r]), à Zone résidentielle de village de densité 1, sous-zone G, dotée d'une exception (V1G[667r]; et à Zone résidentielle de village de densité 1, sous-zone G, dotée d'une exception (V1G[xxxr]) et ce, afin de permettre l'aménagement d'un lotissement de 13 lots à utilisation résidentielle, comme le montre les documents 1 et 3 et l'explique en détail le document 2.

DOCUMENTATION / DOCUMENTATION

Nancy Schepers, Deputy City Manager, Planning and Infrastructure, report dated 9 January 2014 / Rapport de la Directrice municipale adjoint, Urbanisme et Infrastructure daté du 9 janvier 2014 (ACS2014-PAI-PGM-0024).

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales**

**and Council
et au Conseil**

**January 9, 2014
9 janvier 2014**

**Submitted by
Soumis par:**

**Nancy Schepers, Deputy City Manager/Directrice municipale adjointe, Planning
and Infrastructure/Urbanisme et Infrastructure**

Contact Person

Personne ressource:

**Michael Mizzi, Chief/Chef, Development Review Services / Services d'Examen des
projets d'aménagement, Planning and Growth Management/Urbanisme et Gestion
de la croissance**

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Ward: RIDEAU-GOULBOURN (21)

File Number: ACS2014-PAI-PGM-0024

SUBJECT: Zoning – 2240 Roger Stevens Drive

OBJET: Zonage – 2240, promenade Roger-Stevens

REPORT RECOMMENDATIONS

**That Agriculture and Rural Affairs Committee recommend Council approve an
amendment to Zoning By-law 2008-250 to change the zoning of part of 2240
Roger Stevens Drive from Village Residential First Density, Subzone C, with an**

Exception (V1C[309r]) to Village Residential First Density, Subzone G, with an Exception (V1G[667r]); and Village Residential First Density, Subzone G, with an Exception (V1G[xxxxr]) to permit a 13-lot residential subdivision as shown in Documents 1 and 3 and detailed in Document 2.

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 afin de faire passer le zonage d'une partie du 2240, promenade Roger-Stevens de Zone résidentielle de village de densité 1, sous-zone C, dotée d'une exception (V1C[309r]), à Zone résidentielle de village de densité 1, sous-zone G, dotée d'une exception (V1G[667r]; et à Zone résidentielle de village de densité 1, sous-zone G, dotée d'une exception (V1G[xxxxr]) et ce, afin de permettre l'aménagement d'un lotissement de 13 lots à utilisation résidentielle, comme le montre les documents 1 et 3 et l'explique en détail le document 2.

BACKGROUND

On February 29, 2008 the owner filed concurrently a Plan of Subdivision and a Zoning By-law amendment application. The Plan of Subdivision (file number D07-16-08-0008) was draft approved on July 31, 2013. The subdivision provides for 13 village residential lots serviced by private septic and well systems. A hydrogeological report was prepared and established that the site could be serviced by private services. The average lot size will be 2321 square metres.

Vehicular access to the proposed subdivision will be located at Roger Stevens Drive. One public street will be created onto which the new lots will front. This street will be constructed on a 20-metre right-of-way, with paved surfaces, and ditches for drainage. It will provide a connection to Trailwood Drive.

DISCUSSION

The purpose of this Zoning By-law amendment is to facilitate the development of an approved draft Plan of Subdivision.

The site is currently zoned as Village Residential First Density, Subzone C, Rural Exception 309r (V1C[309r]). The Village Residential First Density Zone permits

detached dwellings with minimum lot areas of 4000 square metres. The exception permits additional uses such as agricultural, park and equestrian establishment. The proposed zoning will remove the exception permitting additional uses and allow only for detached dwellings.

More specifically, Lots 2 through 12, (as shown on Document 1 as Area A) will be rezoned from V1C[309r] to V1G[667r]. The provisions of the new zone are in keeping with what already exists adjacent to this development. For example, minimum lot areas will be set at 1950 square metres and minimum lot widths at 30 metres. The exception ([667r]) provides for minimum front yards and corner side yard setbacks at 6 metres. All other provisions of the subzone (G) will apply.

With regard to Lots 1 and 13, (as shown on Document 1 as Area B) these lots are located adjacent to Roger Stevens Drive and are slightly smaller in lot area. Aside from addressing the smaller lot area, additional provisions are also required to satisfy a noise mitigation setback (Condition of Draft Approval) from Roger Stevens Drive. As such, the lots will be rezoned from to V1C[309r] to V1G[xxxxr]. The exception ([xxxxr]) will provide for a minimum lot area of 1800 square metres and a front yard setback of 6 metres. Additionally, a minimum corner side yard 12.26 metres will be set out in order to address the noise mitigation condition. All other provisions of the subzone (G) apply.

Schedule A of the Official Plan (OP) identifies the lands as having a Village designation and Schedule K identifies the lands as being constrained by the flood plain. The OP directs development in villages to be consistent with any applicable existing village plans. It further instructs that the Zoning By-law will distribute permitted uses in villages in accordance with these village plans.

The lands are further designated in the North Gower Secondary Plan as Residential, Open Space, and Stevens Creek Floodplain. On the Land Use Plan shown as Schedule A of the Secondary Plan, a single residential land use designation is shown throughout the village. As described in Section 4.1.1 of the Secondary Plan, "this designation generally applies to existing residential subdivisions and farmlands that are not affected by the Stevens Creek flood plain." Furthermore, it generally states that "...detached dwellings will be the only type of residential development permitted. However, this does not preclude other forms of residential development from being considered in the future." The Community Design Plan (CDP) directs residential development to be

processed through a Plan of Subdivision that will implement the policies of the Secondary Plan.

With regard to the floodplain designations in both the Official Plan and North Gower Secondary Plan, in October 2010, the owner filed an application with the Rideau Valley Conservation Authority (RVCA) for approval to undertake a balanced cut and fill on the proposed subdivision lands. This application (RV4-04/10) was approved on December 12, 2011 and the work was undertaken during the spring of 2012. An as-built elevation survey dated June 21, 2012 was submitted following completion of the work. The survey identifies the areas of the property that have been added to or removed from the 1:100 year flood plain of Stevens Creek as per the RVCA approval. On August 28, 2012, the RVCA revised the mapping of the property to remove it from the flood plain designation.

Accordingly, a zoning anomaly report revising the Flood Plain Overlay went before the Agricultural and Rural Affairs Committee on April 4, 2013 and received Council approval on April 24, 2013.

Revisions to the Official Plan and CDP will be undertaken during the next comprehensive review.

Finally, Condition 59 of the Draft Approved Plan of Subdivision also requires that the Zoning By-law amendment address the recommendations of the Williams Farm Subdivision, Detailed Noise Control Study (prepared by Novatech Engineering Consultants dated February 2008).

The results of the study have identified that Lots 1 and 13 (along Roger Stevens Drive), have noise levels that exceed the outdoor/indoor sound level criteria. Based on the results of the study a condition of draft approval requires that:

59. The Owner agrees that prior to registration of the Plan of Subdivision, the Owner shall ensure that the required Zoning By-law amendment (Condition 8) addresses the recommendations of the Williams Farm Subdivision, detailed Noise Control Study, prepared by Novatech Engineering consultants Ltd, dated February 2008 for Lots 1 and 13.

That the dwelling unit be placed on the southern portion of Lots 1 and 13, a minimum of 27.5 metres distant from the centerline of Rogers Stevens Drive or 12.26 metres from the corner side yard.

The associated Plan of Subdivision is an extension of the neighbouring residential subdivisions approved in the early 1990s. The development is compatible with the surrounding land uses within the community and maintains the distinct character of North Gower.

RURAL IMPLICATIONS

The proposal is consistent with the Official Plan and the North Gower CDP. The proposed Zoning By-law amendment will have no adverse effects on the rural community.

CONSULTATION

Notice of this application was carried out in accordance with the City's Public Notification and Consultation Policy. Details of the consultation can be seen in Document 3.

COMMENTS BY THE WARD COUNCILLOR

Councillor Scott Moffatt is aware of the application.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this report.

ENVIRONMENTAL IMPLICATIONS

All revisions and site work associated with the changes to the regulatory flood plain were approved by the RVCA.

TECHNOLOGY IMPLICATIONS

Information Technology approved this report without comments.

TERM OF COUNCIL PRIORITIES

The recommended Zoning By-law amendment aligns with the City's Term of Council Priority of Economic Prosperity. The application will result in the creation of new residential lots that will attract new residents and potentially businesses to the Village of North Gower that will help strengthen its local economy.

Application Process timeline status

The application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to technical issues associated with the approval of the draft Plan of Subdivision.

SUPPORTING DOCUMENTATION

Document 1 Location and Zoning Map

Document 2 Details of Recommended Zoning

Document 3 Approved Draft Plan of Subdivision

Document 4 Consultation Details

DISPOSITION

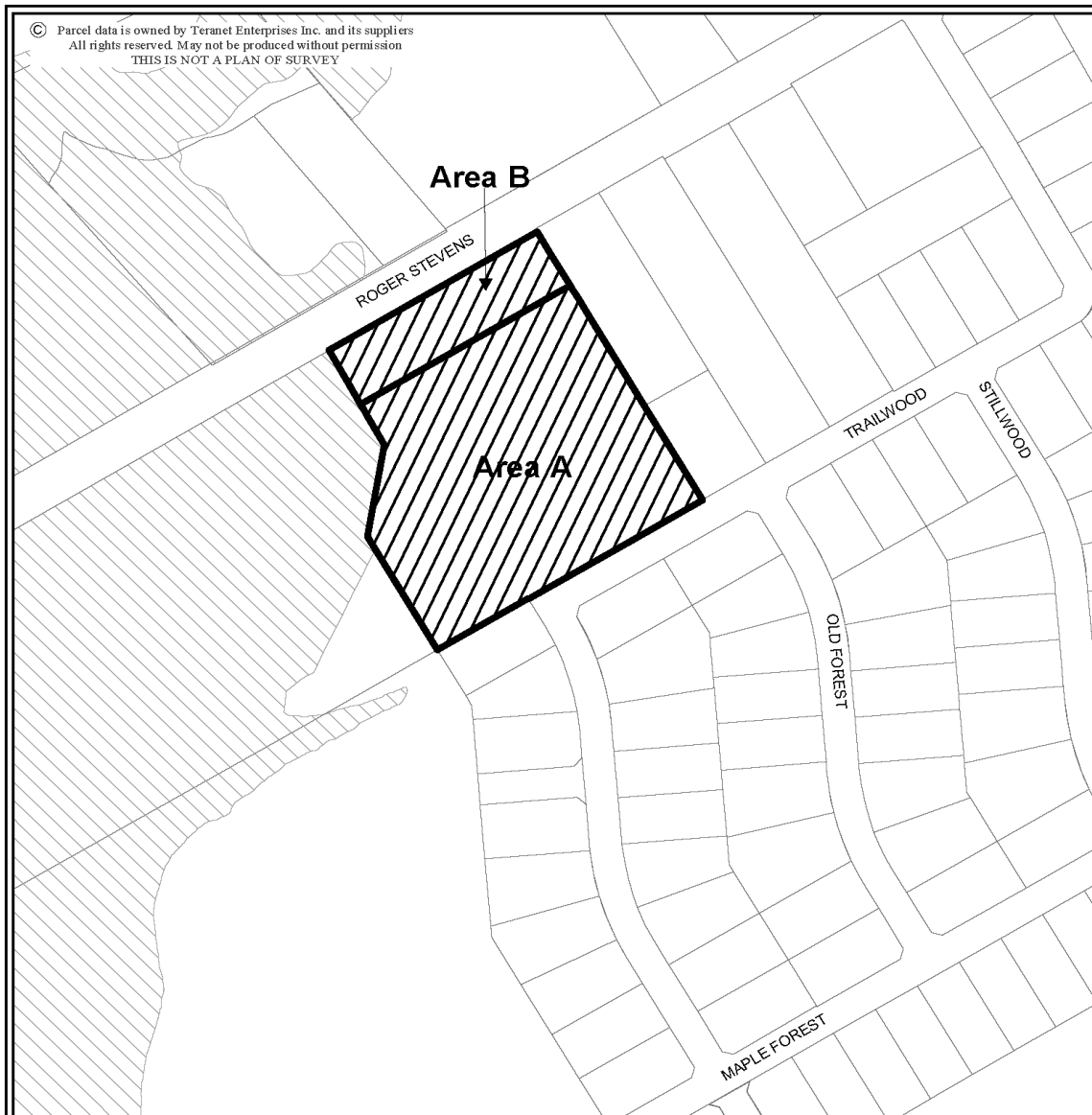
City Clerk and Solicitor Department, Legislative Services, to notify the owner, applicant, Ghislain Lamarche, Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76) of City Council's decision.


Planning and Growth Management Department to prepare the implementing by-law, forward to Legal Services and undertake the statutory notification.

Legal Services to forward the implementing by-law to City Council.

LOCATION AND ZONING MAP

DOCUMENT 1







Produced by Planning and Infrastructure Portfolio
Produit par le Portefeuille urbanisme et infrastructure

D07-16-08-0008	13-2113-D
I:\CO\2013\ZONING\ROGER_STEVENS_2240_V2	
2013 / 12 / 17	
REVISION DATE	DE RÉVISION


**Location Map / Plan de révision
Plan of Subdivision / Plan de lotissement
2240 Roger Stevens Road**

 Area A to be rezoned from V1C[309r] to V1G[667r]
Area B to be rezoned from V1C[309r] to V1G[xxxr]

 Flood Plain (Section 58)
Plaine inondable (Article 58)

039120759 Denotes Teranet-Polaris Parcel Identification Number

Échelle
N.T.S.
Mètres



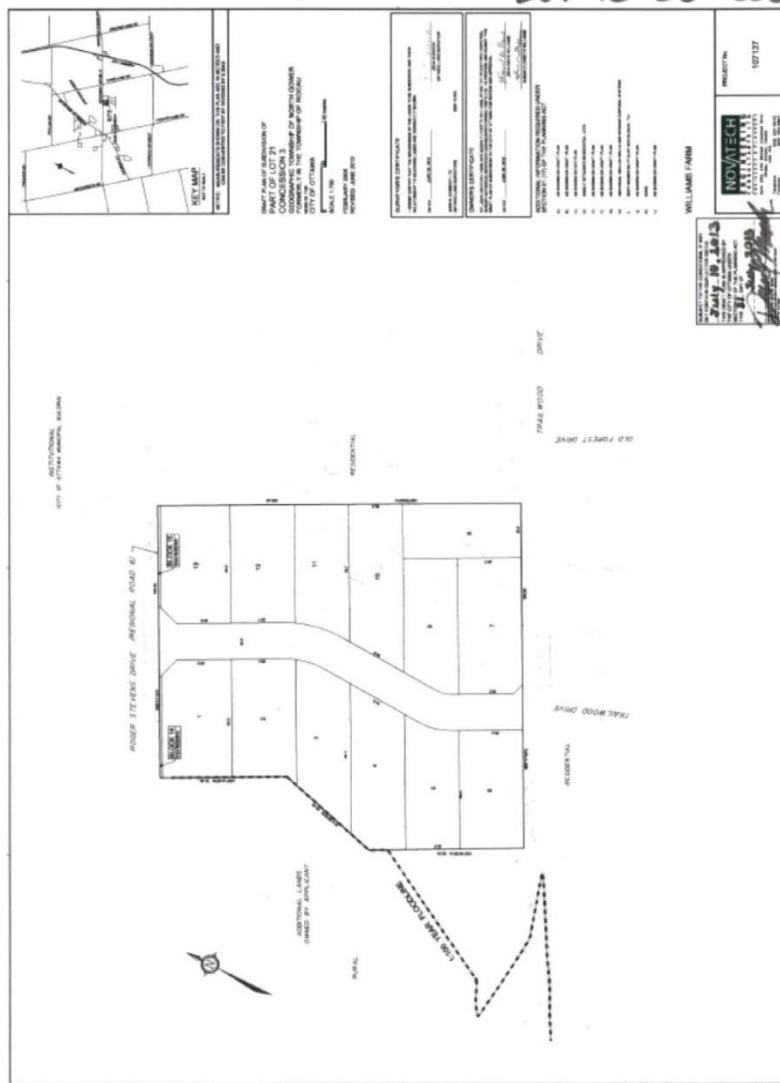
Scale
N.T.S.
Metres

DETAILS OF RECOMMENDED ZONING

DOCUMENT 2

Proposed Changes to the Comprehensive Zoning By-law

1. Rezone the lands shown in Document 1 as follows:
 - a. Area A from V1C[309r] to V1G[667r];
 - b. Area B from V1C[309r] to V1G[xxxr];
2. Add a new exception, V1G [xxxr], to Section 240 – Rural Exceptions, which includes the following:
 - a. In Column II the text “V1G[xxxr]”;
 - b. In Column V the following provisions:
 - minimum lot area 1800 square metres;
 - minimum front yard setback is 6 metres; and
 - minimum corner side yard is 12.26 metres.



CONSULTATION DETAILS

DOCUMENT 4

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 was also held in the community on September 9, 2010 in conjunction with the subdivision application.

SUMMARY OF PUBLIC INPUT

Of the comments heard at the Public Meeting, many of the concerns raised were subdivision design related, such as, stormwater management, floodplains, water quality and quantity, traffic, site grading and impacts on adjacent lands. These issues were addressed through the Plan of Subdivision process. No objections to the approval of the Plan of Subdivision were received.