

Report to/Rapport au :

**Planning Committee
Comité de l'urbanisme**

and Council / et au Conseil

**August 3, 2012
3 août 2012**

Submitted by/Soumis par : **Nancy Schepers, Deputy City Manager/Directrice
municipale adjointe,
Planning and Infrastructure/Urbanisme et Infrastructure**

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Beacon Hill-Cyrville (11)

Ref N°: ACS2012-PAI-PGM-0206

**SUBJECT: ZONING – 1125, 1129, 1133, 1137, 1145 AND 1149 CYRVILLE
ROAD**

**OBJET : ZONAGE – 1125, 1129, 1133, 1137, 1145 ET 1149, CHEMIN
CYRVILLE**

REPORT RECOMMENDATIONS

That the Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 to change the Mixed Use Centre, MC1F(1.1) H(15) zone applying to 1125, 1129, 1133, 1137, 1145 and 1149 Cyrville Road to a new Mixed Use Centre, Subzone 1, 15 (MC1 [xxxx]F(1.1)H(15)-h), as shown in Document 1 and detailed in Document 2.

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage n° 2008-250 en vue de transformer la zone de centre polyvalent MC1F(1.1) H(15), comprenant les 1125, 1129, 1133, 1137, 1145 et 1149 chemin Cyrville, en une nouvelle sous-zone de centre polyvalent portant la désignation 1, 15 (MC1 [xxxx]F(1.1)H(15)-h). La modification, indiquée dans le document 1 et expliquée en détail dans le document 2, permettrait d'aménager un établissement de concessionnaire automobile à cet emplacement.

EXECUTIVE SUMMARY

The subject property, 1125 – 1149 Cyrville Road is located on the north side of Cyrville Road between Ogilvie Road to the northwest and Cummings Avenue to the east, and across from Michael Street to the south. The subject property forms a 0.838 hectare irregularly-shaped parcel with 116.5 metres of frontage along the north side of Cyrville Road. It is zoned MC1 F(1.1) H(15), a Mixed-Use Centre zone, which permits a range of transit-supportive uses with a maximum floor space index of 1.1 and maximum height of 15 metres. The site is currently occupied by five small buildings with the majority of the site being gravelled and used for parking.

The applicant is seeking to rezone the site to allow for an automobile dealership use. Additionally, the requested Zoning By-law amendment includes site-specific provisions related to parking requirements, building frontage along Cyrville Road, and outdoor vehicle display, among others.

Assumption and Analysis

The Department is satisfied that the Zoning By-law amendment meets the relevant policies of the Official Plan and applicable Council-approved design guidelines. All site details such as landscaping, vehicle display, vehicular access, building elevations, and the required multi-use pathway will be addressed at the Site Plan Control stage.

The use of a holding provision is also recommended by the Department to ensure the design objectives within a Mixed-Use Centre will be achieved through the detailed design and review process. The holding provision will require that Site Plan Approval be obtained prior to development occurring.

Financial Implications

If the amendment is carried and an appeal is brought before the Ontario Municipal Board, staff resources would be utilized to defend Council's position. In the event the amendment is not carried and an appeal is launched, an external planner would need to be retained at an estimated cost of \$20,000 to \$25,000. Funds are not available from within existing resources and the expense would impact Planning and Growth Management's 2012 operating status.

Public Consultation/Input

No comments were received from residents or registered community groups during the consultation period.

RÉSUMÉ

Le bien-fonds s'étendant du 1125 au 1149 chemin Cyrville est situé sur le côté nord du chemin 2116, entre le chemin Ogilvie, au nord-est, et l'avenue Cummings, à l'est, et fait face à la rue Michael, au sud. Il forme une parcelle de forme irrégulière s'étendant sur

0,838 hectare et possède une façade de 116,5 mètres sur le côté nord du chemin Cyrville. Le bien-fonds, qui est désigné comme zone MC1 F(1.1) H(15) avec rapport plancher-sol maximal de 1,1 et hauteur maximale de 15 mètres, est une zone de centre polyvalent se prêtant à divers services de transport en commun. L'emplacement est actuellement occupé par cinq petits immeubles. La plus grande partie de la zone est recouverte de gravier et sert de terrain de stationnement.

Le requérant sollicite une modification au règlement de zonage qui régit l'emplacement en vue d'y aménager un établissement de concessionnaire automobile. La modification demandée s'accompagne d'une série de dispositions touchant notamment le stationnement, la construction d'une façade le long du chemin Cyrville et l'étalage extérieur de véhicules.

Hypothèse et analyse

Le Service considère que la demande de modification au règlement de zonage satisfait les politiques concernées du Plan officiel et les lignes directrices sur l'aménagement approuvées par le Conseil. Les questions comme l'aménagement paysager, la mise en place des véhicules, l'accès des véhicules, la hauteur des immeubles et la voie à usages multiples demandée par le requérant seront abordées à l'étape de la réglementation des plans d'implantation. Dans le cadre de la même réglementation, le requérant devra rencontrer les membres du Comité de révision de la conception urbaine aux fins d'une consultation confidentielle et d'une analyse officielle de l'aménagement proposé.

Le Service recommande également d'adopter une disposition d'aménagement différé. Les objectifs d'harmonisation de l'établissement concessionnaire automobile au centre polyvalent seront réalisés au moyen d'un processus d'aménagement et de révision détaillé relevant de l'examen des plans d'implantation. Le plan conceptuel reçu montre que ces objectifs peuvent être atteints. En vertu de la disposition d'aménagement différé, les plans d'implantation devront être approuvés avant toute amorce d'aménagement.

Répercussions financières

Si la modification est adoptée et si un appel est interjeté devant la Commission des affaires municipales de l'Ontario, des ressources humaines devront être affectées à la défense de la position du Conseil. Si la modification n'est pas adoptée et si un appel est interjeté, il faudra retenir les services d'un urbaniste externe, moyennant un coût estimatif de 20 000 \$ à 25 000 \$. Les ressources existantes ne permettent pas de disposer d'une telle somme, de sorte que ces frais auraient une incidence sur le fonctionnement du Service de l'urbanisme et de la gestion de la croissance en 2012.

Consultation publique

Aucun commentaire n'a été reçu de la part des résidents ou des groupes communautaires enregistrés durant la période de consultation.

BACKGROUND

The site is located at 1125, 1129, 1133, 1137, 1145 and 1149 Cyrville Road on the north side of Cyrville Road between Ogilvie Road to the northwest and Cummings Avenue to the east, and across from Michael Street to the south (see Document 1). It is an irregularly-shaped site that has a total area of 0.838 hectares with a frontage of 116.5 metres along Cyrville Road. The site is currently occupied by five small buildings, which have been used for varying commercial uses over recent years with the majority of the site being gravelled and used for parking. The site is located within 600 metres of two transit stations, St. Laurent Station to the west and Cyrville Station to the east. There is a storm sewer trunk and associated six-metre wide City easement that runs across the middle of the site in an east-west direction.

Directly north of the site is a large, vacant, undeveloped residential parcel for which a development application has been submitted to allow the development of 83 townhouses. Further north, on the north side of Ogilvie Road, is a residential neighbourhood consisting of multiple-attached dwelling units. To the east of the site are three office buildings consisting of a three-storey building, a one-storey building and a former two-storey dwelling converted to an office, as well as associated surface parking. Cummings Avenue is east of these office buildings and serves to connect Cyrville Road to Ogilvie Road.

To the west and northwest of the site, leading to the intersection of Cyrville and Ogilvie Roads, are low-scale commercial uses with minimal landscaping and surface asphalt parking. Further to the west in the block bounded by Ogilvie Road, St. Laurent Boulevard, and Joseph Cyr Street, are low-scale commercial uses including three automobile dealerships, two stand-alone retail stores, and a 'strip mall', as well as the St. Laurent Boulevard arterial mainstreet and the St. Laurent Shopping Centre. South of the site, on the south side of Cyrville Road, is a place of worship and a mix of low-scale commercial buildings including a four-storey office building.

Existing Zoning

The site is zoned MC1 F(1.1) H(15) (Mixed Use Centre, Subzone 1, Maximum Floor Space Index of 1.1, Maximum Height of 15 metres), which permits a range of transit-supportive uses in a compact and pedestrian-oriented built form with a maximum floor space index of 1.1 and maximum height of 15 metres. The current zoning does not permit automobile dealership uses.

Purpose of Zoning Amendment

The purpose of the Zoning By-law amendment is to amend the existing zoning to allow for the development of an automobile dealership on the site. Additionally, site-specific zoning provisions for the automobile dealership use have been requested and include a minimum and maximum front-yard setback, requirement for a pathway and landscape buffers, reduction in required parking for the site, minimum requirement for building wall frontage along Cyrville Road, minimum lot coverage, and maximum permitted area of outdoor vehicle display (Document 2).

DISCUSSION

Planning Act and Provincial Policy Statement (PPS)

Within Section 2 of the *Planning Act*, land use matters that are of provincial interest, and that all municipal planning decisions must have regard to are identified. For the subject site, applicable provincial matters include the appropriate location of growth and development, and development and promotion of development that is designed to be sustainable to support public transit and to be oriented to pedestrians.

Furthermore, the *Planning Act* requires that all planning decisions made by a municipality are consistent with the Provincial Policy Statement. As the guiding policy document for land use within the province, policies for the development of liveable communities and efficient use of land and resources are identified within the PPS.

The proposed rezoning is in keeping with the intent of the *Planning Act* and the PPS as it will allow for an existing underutilized site to be redeveloped and contribute to the mix of land uses in the surrounding neighbourhood.

Official Plan

Strategic Directions and Land Use Designation

The Official Plan for Ottawa provides the framework on meeting the challenges of growth over the next 20 years by pursuing strategic directions in four key areas: managing growth in the urban area, providing infrastructure, maintaining environmental integrity, and building liveable communities. Policies that address these strategic directions include those related to intensification, compatible development, pedestrian connectivity, and access to alternative transportation modes.

The site is designated as the Cyrville Mixed-Use Centre within the Official Plan. The Mixed-Use Centre (MUC) land use designation has been applied to nodes along the rapid transit network that have been identified as strategic locations for increased density and development. MUCs have been identified as a critical element in the City's growth management strategy as they have the potential to achieve compact and mixed-use development, as well as the high densities of development that are required to support rapid transit. Section 2.2.2 – Managing Growth within the Urban Area identifies

MUCs as target areas for intensification and, to ensure that high-density development is achieved, establishes minimum employment targets. Pursuant to this policy, the Cyrville MUC minimum density target is 120 jobs and people per gross hectare, which translates into 170 jobs and people per net hectare when considering a site-specific development.

The proposed rezoning meets the strategic directions and policies for the Cyrville Mixed-Use Centre. It is providing a new development and increased density on an underutilized site. Furthermore, the proposed automobile dealership is to be developed in an urban format with minimal exterior parking and display area, and will provide a pedestrian connection through the site to improve pedestrian access to two rapid transit stations (Cyrville and St. Laurent).

As a retail use, the proposed rezoning and development of the site meets the minimum density target for the subject site. The recommended zoning provision for minimum gross floor area will ensure that the minimum density can be achieved on the site.

Design Objectives and Compatibility

The Official Plan requires that development proposals be evaluated with reference to the Design Objectives and Principles in Section 2.5.1 and the compatibility policies contained in Section 4.11.

Section 2.5.1, which addresses the Official Plan's strategic direction for building liveable communities, includes design objectives to:

- enhance the sense of community by creating and maintaining places with their own distinct identity;
- define quality public and private spaces through development;
- create places that are safe, accessible and are easy to get to, and move through;
- ensure that new development respects the character of existing areas;
- consider adaptability and diversity by creating places that can adapt and evolve easily over time and that are characterized by variety and choice; and
- maximize energy-efficiency and promote sustainable design to reduce the resource consumption, energy use, and carbon footprint of the built environment.

The proposed rezoning and development for the site has been reviewed in the context of the aforementioned design objectives and principles. The proposed rezoning will allow for a new use within a neighbourhood that is undergoing transition and will contribute to the enhancement of the Cyrville Road neighbourhood as part of this transition. Landscaping and pedestrian improvements along the frontage, which is currently characterized by parked vehicles and lack of a sidewalk, will increase pedestrian safety and accessibility while also contributing to the streetscape along Cyrville Road. The Department considers the provision of two buildings on the site, as well as making use of the existing City easement on the site to concentrate the location of buildings, a good opportunity for future adaptation of the buildings and intensification opportunities.

Section 4.11 provides further policies for development within the context of compatibility. This includes having regard for the site's land use designation as well as design guidelines and site specific policies. Further compatibility policies address height and massing, transition, traffic, vehicular access, parking, outdoor storage, and neighbourhood services. The Department is satisfied that the applicable policies of Section 4.11 for compatibility are met by the proposed rezoning as follows:

- The proposed height and massing is in keeping with existing zoning. The surrounding area is of a low-rise nature, which is reflected in the height limit of 15 metres. Furthermore, the neighbourhood is characterized by irregularly-shaped lots that contribute to a variety of building massing. The proposed development of the site fits well in this current context and provides for improving the design conditions in the area.
- The site is located between two rapid transit stations (i.e., 600 metres). The location of the site will not diminish the potential for high-rise development at these two stations.
- The Transportation Overview submitted with the application shows that there are minimal impacts caused by the proposed development.
- Vehicular access to the site is to be minimized with only two driveways that will not negatively impact adjacent neighbours.
- External parking on the site is to be restricted to only 6% of the site for inventory vehicles (i.e., outdoor storage) and a maximum of 40 parking spaces. This will minimize impacts to the surrounding neighbourhood while also promoting alternative transportation and allowing for pedestrian connectivity.

Former City of Gloucester – Site Specific Policies

Under the Former City of Gloucester Official Plan, the Cyrville area was designated as a 'Core Activity Area'. The general policies for Core Activity Areas are consistent with those of MUCs, including those for development to include a wide range of high-density uses, the establishment of employment targets for each area, the provision of pedestrian connectivity, and easy access to alternative transportation. Specific policies for the Cyrville Core Activity Area applicable to the site include provisions for promenade development along Cyrville Road between Ogilvie Road and Cummings Avenue and improved pedestrian connection from the Cyrville Road Transitway Station into commercial sites to the west and north of the station. Recognizing that development to meet the ultimate objectives will occur over an extended period of time, the site specific policies for Cyrville encourage interim uses that will increase the area's visibility and contribute towards the long-term objectives.

The proposed rezoning meets the intent of the former City of Gloucester – Site Specific Policies to improve the area. It can be considered an interim development; however, it also meets the minimum density target of the current Official Plan, provides pedestrian connectivity to the surrounding neighbourhood, and is providing street front retail development along the Cyrville Road promenade.

Cyrville Station Transit-Oriented Development Study

The land surrounding the Cyrville rapid transit bus station, which is to be converted to a light-rail transit (LRT) station by 2018 as part of the City's first phase of LRT construction, is one of three station areas currently undergoing a transit-oriented development (TOD) study. A primary goal of the TOD study is "to promote public transit usage by employing effective urban design techniques in the planning and design of the communities surrounding the stations". When completed, the study will identify opportunities for intensified and varied land uses on select properties, which may result in the need for Zoning By-law or Official Plan amendments to implement these recommendations. Additionally, the study will include maps showing optimal pedestrian and cycling routes for access to transit. Public consultation regarding the Cyrville TOD Study was undertaken in the spring and early summer of 2012 and is expected to be presented to Planning Committee in the fall of 2012.

The Cyrville TOD study is proposing that a section of Cyrville Road, between Ogilvie Road and Highway 417, be designated as 'active street frontage' in the TOD Plan. The subject site is located mid-point between Cummings Avenue and Ogilvie Road and, as such, falls within the active street frontage designation. Principle components of such streets involves the presence of street-oriented buildings with individual building entrances that are accessible from the sidewalk, buildings that are highly transparent at pedestrian-scale ground-floor facades, wide hard sidewalk surface treatment, and enhanced landscaping. This rezoning application has regard to these principle components as evidenced by the proposed zoning included in Document 2 and as illustrated in the concept plan included as Document 3.

Urban Design Review Panel

As the site is within a Mixed-Use Centre, it is also within a Design Priority Area and is subject to the Urban Design Review Panel (UDRP) process. As the proposed rezoning does not seek to increase the permitted density or height, a pre-consultation prior to the submission of a Zoning By-law Amendment application was not required. During the Site Plan Control process, the applicant will be required to undergo a confidential pre-consultation and a formal review by the UDRP.

Holding Provision

The use of a holding provision is also recommended by the Department. The concept plan for the automobile dealership has demonstrated that is possible for the proposed automobile dealership to successfully integrate and achieve the design objectives for the neighbourhood. A detailed design and review process will be undertaken through the Site Plan review process and, to ensure the design objectives are met and integration is achieved, the holding provision will require that the Site Plan be approved prior to any development occurring.

Traffic Issues

A Transportation Overview report was submitted to the City as part of this application process. The report indicates that impacts from the proposed development will not affect the level of service at intersections within the area. The Department has reviewed the brief and has no concerns with the findings with respect to traffic.

Servicing Issues

A servicing brief was provided in conjunction with the Zoning By-law Amendment application. This brief confirmed that existing services are adequate to support the proposed development. The brief also identified the existing 1900 mm diameter trunk storm sewer with associated City easements that bisects the property in an east-west direction. The Department has reviewed the brief and have no issues with the findings with respect to capacity.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

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

COMMENTS BY THE WARD COUNCILLOR

Councillor Tim Tierney has stated: "I fully support this zoning amendment proposal."

LEGAL IMPLICATIONS

Should the recommendation be adopted and the matter appealed to the Ontario Municipal Board, it is anticipated that a three day hearing would result. This hearing could be conducted within staff resources. In the event the recommendation is refused, reasons must be provided. Should the refusal be appealed to the Board, an outside planner would need to be retained at an estimated cost of \$20,000 to \$25,000.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

If the amendment is carried and an appeal is brought before the Ontario Municipal Board, staff resources would be utilized to defend Council's position. In the event the amendment is not carried and an appeal is launched, an external planner would need to be retained at an estimated cost of \$20,000 to \$25,000. Funds are not available from within existing resources and the expense would impact Planning and Growth Management's 2012 operating status.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this report.

TECHNOLOGY IMPLICATIONS

There are no direct technical implications associated with this report.

TERM OF COUNCIL PRIORITIES

This report impacts the following priorities within the City's Strategic Plan:

- Long-Term Sustainability Goals: Connectivity and Mobility
- TM2: Maximize Density In and Around Transit Stations

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 the need to ensure that the proposed Zoning By-law Amendment could advance Mixed-Use Centre Official Plan policies.

SUPPORTING DOCUMENTATION

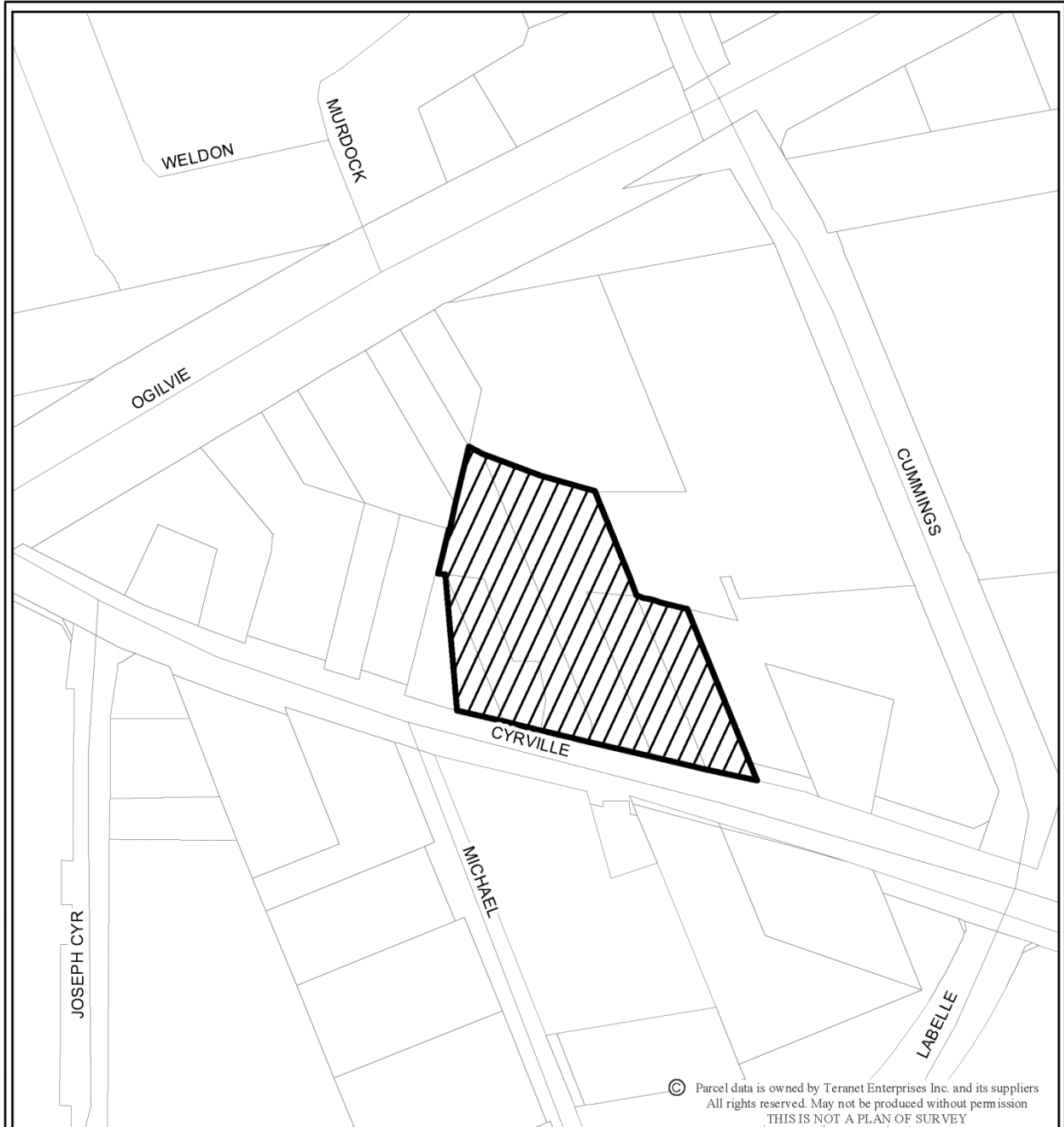
Document 1 Location Map
 Document 2 Details of Recommended Zoning
 Document 3 Concept Plan

DISPOSITION

City Clerk and Solicitor Department, Legislative Services to notify the owner, applicant, OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5, Ghislain Lamarche, Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76) of City Council's decision.

Planning and Growth Management 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.



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2012 / 03 / 13	
REVISION DATE DE RÉVISION	

Location Map / Plan de révision
Zoning Key Plan / Schéma de zonage
1125, 1129, 1133, 1137, 1145 and 1149
Cyrville Road

042640154 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. The Zoning Map of By-law No. 2008-250 be amended by rezoning the subject property as shown on Document 1 from MC F(1.1)H(15) to MC [xxxx]F(1.1)H(15)-h.
2. Section 239 – Urban Exceptions be amended by adding a new exception, [xxxx], including provisions with the same intent as the following:
 - a) Add ‘automobile dealership’ as a permitted use.
 - b) At least 50% of the Cyrville Road frontage must be occupied by one or more building walls within the permitted front yard setback;
 - c) A minimum 5.0 metre wide pathway must be provided along the west interior lot line comprised of a minimum of 3.0 metres of hard landscaping and a minimum of 2.0 metres of soft landscaping;
 - d) No outdoor display of vehicles is permitted within the required and provided front yard;
 - e) Minimum front yard setback: 4.25 metres;
 - f) Maximum front yard setback: 4.5 metres;
 - g) The facade of any building fronting onto Cyrville Road must have at least 50% of the front wall containing windows comprised of clear glazing;
 - h) Maximum permitted outdoor storage of inventory vehicles shall not exceed 6% of the site area;
 - i) A 1.5 metre landscape buffer is required along the rear and east interior property lines;
 - j) Minimum lot coverage: 29%;
 - k) Minimum gross floor area: 5450 square metres;
 - l) The requirement for a minimum number of parking spaces is not applicable and a maximum of 40 parking spaces shall be provided on site; and
 - m) Minimum required aisle width: 6.0 metres.
3. A holding symbol will be put on the property with the following condition for removal:
 - a) the holding symbol cannot be removed until such time as a site plan control application is approved.

