

Report to/Rapport au :

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

and Council / et au Conseil

**November 23, 2012
23 novembre 2012**

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

Contact Person / Personne ressource: *Derrick Moodie, Manager/Gestionnaire, Development Review-Rural Services/Examen des projets d'aménagement-Services ruraux, Planning and Growth Management/Urbanisme et Gestion de la croissance (613) 580-2424, 15134 Derrick.Moodie@ottawa.ca*

Rideau-Goulbourn (21)

Ref N°: ACS2012-PAI-PGM-0266

SUBJECT: ZONING – 1127 AND 1128 MILL STREET AND 1125 CLAPP LANE

OBJET : ZONAGE – 1127 ET 1128, RUE MILL ET 1125, RUELLE CLAPP

REPORT RECOMMENDATIONS

That the Agriculture and Rural Affairs Committee recommend Council approve an amendment to the Zoning By-law 2008-250 to change the zoning of 1127 Mill Street from Rural Institutional Subzone 1 (RI1) and Village Mixed Use Subzone 2 (VM2) to Village Mixed Use with Exceptions and a Schedule (VM [aaar] Syyy) and 1128 Mill Street from Village Mixed Use Subzone 2 (VM2) to Village Mixed Use with an Exception (VM [cccr]) and 1125 Clapp Lane from Village Mixed Use Subzone 2 (VM2) to Village Mixed Use with an Exception (VM [dddr]) as shown in Document 1 and as detailed in Documents 2 and 3.

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 de manière à faire passer la désignation du 1127, rue Mill de Zone d'institutions rurales, sous-zone 1 (RI1) et Zone d'utilisations polyvalentes de village, sous-zone 2 (VM2) à Zone d'utilisations polyvalentes de village assortie d'exceptions et d'une annexe (VM [aaar] Syyy) et (VM [bbbr] Syyy), celle du 1128, rue Mill de Zone

d'utilisations polyvalentes de village, sous-zone 2 (VM2) à Zone d'utilisations polyvalentes de village assortie d'une exception (VM [cccr]) et celle du 1125, ruelle Clapp de Zone d'utilisations polyvalentes de village, sous-zone 2 (VM2) à Zone d'utilisations polyvalentes de village assortie d'une exception (VM [dddr]), tel qu'illustré dans le document 1 et exposé en détail dans les documents 2 et 3.

BACKGROUND

Commonly referred to as the Mill Quarter or Dickinson Square, the subject properties, 1127, 1128 Mill Street and 1125 Clapp Lane, are located in the core of Manotick Village across from Watson's Mill as shown in Document 1.

The properties contain several buildings of note. Three structures at 1127 Mill Street have been designated as heritage structures by the City under the provisions of Part IV of the *Ontario Heritage Act*, while a fourth designated heritage structure is located at 1128 Mill Street. In addition, a two-storey single-detached house, which is not a heritage structure, stands on the lot at 1125 Clapp Lane. The buildings are generally surrounded by open space consisting of landscaped lawns and gardens and a number of mature trees. A small surface parking lot with space for two dozen cars is also located in the northeast corner of the lot at 1127 Mill Street adjacent to one of the heritage structures.

Aside from the Mill, most of the site's immediate surroundings to the north, south and east consist of residential and institutional uses dominated by single-family detached housing. Manotick Main Street lies approximately 200 metres to the west, and is characterised by a mix of retail, commercial and residential uses. This mixed-use pattern continues along several intersecting streets to both the east and west of Manotick Main Street.

The above noted properties were purchased by the City of Ottawa from the Rideau Valley Conservation Authority and private landowners in 2007 with the intent to transfer the properties to the Manotick Mill Quarter Community Development Corporation (MMQCDC).

On January 28, 2009 City Council approved the formation of the Manotick Mill Quarter Community Development Corporation (MMQCDC) whose Corporate purposes were to:

- Formalize and maintain Dickinson Square open space primarily for public heritage and cultural events;
- Plan, subdivide, and develop/redevelop within the Mill Quarter as required with opportunities for arts and heritage programming, community activities, commercial accommodation, boutiques, galleries, craft outlets, museums, restaurants and studios;
- Promote community improvement;
- Sell, lease or otherwise dispose all or part of the Corporation sites;

- Enter into agreements for implementation as required; and
- Upon transfer of properties from the City to the MMQCDC, the Corporation shall repay to the City all costs associated with acquisition and holding (\$2.44 M) and enter into a heritage easement agreement.

Prior to the sale or leasing of these properties, a primary mandate of the MMQCDC was to better align the City-owned properties with the policies in Volume 2c of the Official Plan which aimed for the establishment of a vibrant cultural tourism district.

To best position these properties to meet the Manotick Village Secondary Plan and better meet the MMQCDC's financial obligations, a re-zoning of these City-owned properties would be required to permit a wider range of cultural and commercial land uses while maintaining opportunities for heritage and cultural events.

Of note, the original application submission proposed a height increase from 11 m to 13.5 m for the property at 1125 Clapp Lane. As a result of numerous objections received from the community during the circulation period, the applicant has revised the application to reduce the height increase to 12 m. Details of this consultation can be found in Document 4.

Existing Zoning

The areas identified in Document 1 delineate the City-owned properties subject to this Zoning By-law amendment.

Two of the properties are subject to two distinct underlying zones. Properties located at 1127 Mill Street (Parcels A and B) and 1128 Mill Street (Parcel C) are also subject to Section 60 - Heritage Overlay under the Zoning By-Law.

Parcel A (1127 Mill Street east portion of the site) represents the Carriage and Dickinson Houses. This portion of 1127 Mill Street is currently zoned Rural Institutional Zone, Subzone 1 (RI1).

The purpose of the Rural Institutional Zone (RI) is to permit a range of community-oriented and emergency service uses which serve the needs of the rural population in areas designated primarily as Village in the Official Plan.

Permitted uses include community centres and gardens, museums, parks, places of assembly, and farmer's markets. Commercial uses are not permitted, and residential uses are limited to retirement homes, rooming houses, shelters and an ancillary dwelling to a place of worship.

The RI1 subzone corresponds to specific yard and building height provisions.

Parcel B (1127 Mill Street west side of site) represents the Weaver's House while Parcel C (1128 Mill Street), the Ayers building.

Located at Parcel D (1125 Clapp Lane) resides a vacant two-storey single detached house. These lands are currently zoned Village Mixed-Use Zone, Subzone 2 (VM2).

The purpose of the Village Mixed-Use Zone (VM) is to permit a wide variety of commercial, leisure, institutional and residential uses. Such uses should reinforce the historical character of the Village core areas and main streets by promoting small-scale, street-oriented building form. Further, development must be regulated in a manner that adopts existing land use patterns so that the unique village character is maintained.

The VM2 subzone represents a more restricted range of permitted residential, commercial and institutional uses than the parent VM zone and restricts any permitted individual use from exceeding a gross leasable area of 120 m².

Proposed Zoning

The purpose of this Zoning By-law amendment is to replace the existing institutional zoning and village mixed use subzones of Parcels "A, B" and "C", see Document 1, with a zoning that captures a wider range of permitted uses from both the existing Rural Institutional and Village Mixed Use zones. In addition the Zoning By-law amendment will retain the maximum 120m² gross leasable area requirement from the former VM2 zone for permitted uses. Lot area and width, including all yard setbacks will also be adjusted to bring existing buildings into conformity and also provide for flexibility in the future development of these sites. Finally, a no minimum landscaped area width will be introduced to the subject parcels.

Parcel D (1125 Clapp Lane) will be rezoned to a Village Mixed Use with an Exception. The Zoning By-law amendment will provide a range of land uses similar to the parent VM zone however removing uses, such as gas bar, automobile service centre, that are not in keeping with the Manotick Village Secondary Plan. Further, limits will be established on the gross leasable floor area (120 square metres) and location (at grade) of non residential uses. Site specific yard provisions have also been introduced to allow for flexibility in building location, height and design.

Details of the proposed zoning amendment can be found in Document 2.

DISCUSSION

Official Plan

The subject properties are designated "Village" according to Schedule A, of the Official Plan (OP). Policies governing Villages are found in Section 3.7.1 of Volume 1 of the Official Plan. Section 3.7.1 states that:

"In these Villages, the City will encourage the delivery of municipal and community programmes and facilities, the development of residential uses in a variety of forms and modest employment opportunities, in the form of commercial, tourism and small-scale industrial development. Preservation of these Villages and their traditional

functions is critical to the continued vitality of the rural area. Smaller Villages may continue to grow at modest levels.”

Section 3.7.1, Volume 1 of the OP also establishes a number of policies to guide and support growth and development in accordance with the broad vision for Rural Villages established above:

4. Permitted uses will include: residential and retail and commercial service facilities of up to 10,000 square metres gross leasable area, restaurants, offices and personal service establishments light industrial uses, institutional uses such as schools, community meeting and recreational buildings and facilities, places of worship, and public open space.
5. The Zoning By-law will establish zones that are consistent with the distribution of uses provided for in the Village plans found in Volume 2. The Zoning By-law will also support development that reinforces the historical character of Village core areas and main streets by permitting a mix of land uses, encouraging a pedestrian-friendly streetscape and regulating the scale of development.

Manotick Village Plan

The Manotick Village Plan is included in Volume 2(c) of the Official Plan. The Village Plan outlines the vision for the community and establishes a number of policies to direct future growth and development within Manotick. The plan’s primary objective is “to preserve and maintain the quality and character of life enjoyed by the people who live or work in Manotick”.

Schedule “A” (Land Use Plan) of the Village of Manotick Secondary Plan, identifies these properties as part of the Village Core. The Village Core is further divided into several Character Areas. A series of policies in the Secondary Plan enhance the Character Areas within the Village Core. The properties subject to this zoning amendment are located in the Historic Village Character Area, more specifically in the east sector.

The Historic Character Area encompasses the historic settlement of the Village of Manotick, including Watson's Mill. Together with the Main Street Character Area, it expresses the Village's fundamental character and its identity. The east sector of the Historic Village is a mixture of office, institutional, residential and retail uses. Until recently this area was home to the headquarters of the Rideau Valley Conservation Authority, the area also includes boutiques, and a variety of other retail uses. The west sector of the Character Area is essentially the "back lots" of the retail uses that line the west side of Main Street. This area includes surface parking lots and some retail uses that extend west into the block interior from a frontage on Main Street. The long term goal for this area is to reinforce the evolving character of its east sector as an area of boutiques, galleries, specialty outlets, restaurants, studios and craft workshops intermingled with residential uses, while developing the west sector for housing, and some parking to serve the Main Street retail area.

a. **East Sector Uses**

The Historic Village (east sector) shall be pedestrian oriented and may include such retail uses as specialty boutiques, galleries, restaurants, craft outlets, other tourism and entertainment facilities, and residential uses, including multiple family housing. Offices will be encouraged to locate in The Gaps Character Area.

b. **Mixed Use**

Developments within The Historic Village (east sector) may be used for both retail and residential purposes (i.e., two or more permitted uses may be physically integrated within a building, or separate buildings on the same lot).

c. **Built Form - East Sector**

Council shall ensure new development in The Historic Village Character Area (east sector) respects the existing scale, massing (e.g., placement on the site) and character typical of buildings in this area.

d. **Public and Institutional Uses Limited**

Public and institutional uses in The Historic Village Character Area (east sector) will be limited to those properties zoned for this purpose as of the date of approval by Council of this Official Plan. New public and institutional uses shall be encouraged to locate in The Gaps Character Area.

e. **Parking**

To reinforce the pedestrian orientation of the Area, its safety and convenience, the parking requirements for uses within The Historic Village Character Area (east sector) shall be minimal, existing on street parking shall be retained and, in the case of designated heritage properties no parking may be required.

f. **Mill "Quarter"**

Council shall examine the feasibility of developing a "Mill Quarter" around Watson's Mill, including the potential relocation of the offices of the Rideau Valley Conservation Authority, for commercial accommodation, boutiques, galleries, and craft and other specialty outlets, museums, restaurants, and studios.

g. **West Sector Uses**

The Historic Village (west sector) shall be encouraged to develop as a combination of well landscaped, small shared parking areas to serve the

- a. retail uses on Main Street, interspersed with multiple family accommodation fronting onto Ann Street.

The Community of Manotick has long been aware of the eventual departure of the Rideau Valley Conservation Authority (RVCA). Policies in the Village Plan in fact suggested that upon the departure of the RVCA, Council would examine the feasibility of developing a "Mill Quarter" around Watson's Mill, for commercial accommodation,

boutiques, galleries, and craft and other specialty outlets, museums, restaurants, and studios.

As noted earlier in the background section of this report, in 2007 the City purchased the buildings that housed the former offices of Rideau Valley Conservation Authority and subsequently transferred the properties to the Manotick Mill Quarter Community Development Corporation (MMQCDC). Their primary mandate was to best position these properties to meet the Village of Manotick Plan and better meet the MMQCDC financial obligations.

It is clear that the objectives and policies for the Village Core, Historic Village Character Area, and the east sector sub-area, support mixed-use commercial, institutional and residential land uses to ensure that the Village core serves as the Village meeting place, retail centre and economic focus.

The current zoning of Rural Institutional subzone at 1127 Mill Street (Parcel A Document 1) is restricted to institutional land uses prohibiting the retail mix and economic focus desired for the core. Similarly, the existing Village Mixed-Use Subzone applicable to 1127 (Parcel B), 1128 (Parcel C) Mill Street and 1125 (Parcel D) Clapp Lane restricts the range of residential and commercial uses permitted; as well as restricts the gross leasable floor area to 120 square metres, for all permitted uses; thereby limiting the potential for commercial tourism, mixed-use and residential related opportunities. To that end, the current uses and provisions do not maximize the potential of the Mill Quarter and remove the market potential for the adaptive re-use of these heritage properties.

The proposal to change the existing zoning for 1127 and 1128 Mill Street to a Village Mixed Use with an Exception will increase the range of permitted uses to include commercial retail and personal service business uses in addition to institutional land uses. Further, a limit in gross leasable area to encourage boutique commercial uses will be introduced. Zoning provisions have been crafted to respect the heritage character of these existing designated heritage properties. Further, any structural changes to these properties will be subject to the approval of the Ottawa Built Heritage Advisory Committee and City Council.

As for changes to the existing zoning for 1125 Clapp Lane to a Village Mixed-Use with an Exception, these revisions are intended to better establish the property with the policies of the Official Plan, more specifically the Manotick Village Plan. Policies in these plans guide growth and development in Villages supporting residential, institutional, retail and commercial service facilities of up to 10,000 square metres of gross leasable area, yet ensure that new development has regard to historical character and scale of development.

To ensure that retail facilities and other specific non-residential uses at 1125 Clapp Lane are complementary to existing land use and historic character of the Mill Quarter, the proposed zoning will limit gross leasable area for specific permitted non-residential uses to encourage boutique commercial or institutional uses on the ground floor. This

strategy aligns with the objectives of the Village Core to permit sensitively integrated new development at this site that will accommodate a range of uses and innovative mixed forms of development such as; commercial (e.g. boutique hotel), residential (e.g. senior's residence), mixed-use residential /commercial (e.g. ground floor boutique commercial on ground floor with residential units above) or institutional (e.g. Arts Centre).

Finally, a request to increase the building height from 11 metres to 12 metres will also permit flexibility in implementing typical roof line and interior ceiling heights commonly found in the Historic Character Area. It is noted that although an increase in building height is proposed, buildings will be limited to a maximum of three storeys to respect for the architectural character of the Village core.

Careful consideration has been given to all aspects of this zoning amendment in terms of the policies of the Village Secondary Plan. The community has expressed their wishes through an information meeting, many telephone calls and written submissions. There is no doubt that such a proposal will have an impact on the community and the character of the Village. A balance must be sought between maintaining a village character and allowing for opportunities to develop in the community. The proposed zoning amendment will bring into harmony the City owned properties as envisioned not only by Village Secondary Plan Official Plan policies, but more importantly by the community. The zoning amendment conforms to the Manotick Secondary Plan and does not jeopardize the guiding principles of the Village Core and the Historic Mill Quarter.

The ownership of these properties provides a unique opportunity for the City and community to control their interests as a whole. Aside from the proposed zoning amendment and legal protections provided under the *Ontario Heritage Act*, the City is also negotiating a Special Event/Heritage Easement to provide for an open space component to enhance opportunities for heritage and cultural events.

Further, architectural design guidelines have been developed by an architect hired by the MMQCDC. These guidelines were also reviewed and accepted by the City's Heritage Section. The guidelines address building materials, building articulation, fenestration, lighting and other matters related to building design to have regard to and be consistent with the heritage character of the area. The guidelines will be attached to the purchase and sales agreement and will be binding on any future purchaser as part of the sales contract to ensure that all development will respect the heritage character of the Village Core's Historic Area and the Mill Quarter.

RURAL IMPLICATIONS

The proposal is consistent with the documents which guide the development of the Village of Manotick. Amendments to the Zoning By-law will not only enhance the historic nature of the village but will provide long-term employment opportunities in the community.

CONSULTATION

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

As noted previously in this report, at the request of the Councillor's office, a public information meeting on held August 2nd, 2012. Attendance at this meeting was estimated at 120 plus. Further to the information meeting and circulation the City also received numerous written comments. The City did receive a significant amount of concerns about this application. Details of the consultation can be seen in Document 4.

COMMENTS BY THE WARD COUNCILLOR

The Ward Councillor is aware of the application.

LEGAL IMPLICATIONS

There are no direct legal implications associated with this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications association with the recommendation in this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this report.

ENVIRONMENTAL IMPLICATIONS

There are no environment implications associated with this report.

TECHNOLOGY IMPLICATIONS

There are no technology implications associated with this report.

TERM OF COUNCIL PRIORITIES

The application, as proposed, is perceived as supporting the growth of the economy of the Village of Manotick.

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 complexity of the issues associated with the community concerns.

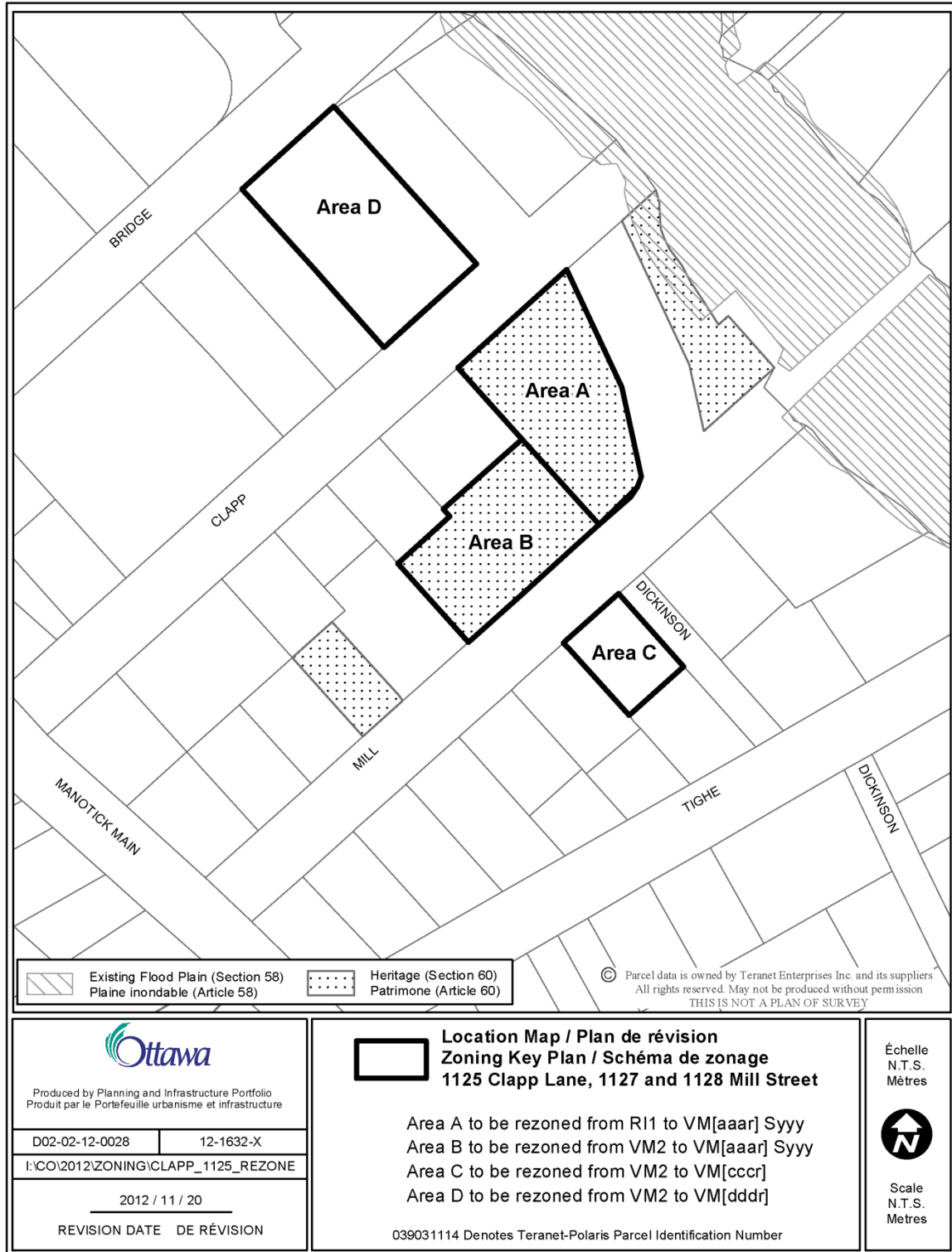
SUPPORTING DOCUMENTATION

Document 1 Location Map/Zoning Key Plan
Document 2 Details of Recommended Zoning
Document 3 Zoning By-law Schedule
Document 4 Consultation Details

DISPOSITION

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



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 R11 to VM[aaar] Syyy;
 - b. Area B from VM2 to VM[aaar] Syyy;
 - c. Area C from VM2 to VM[cccr]; and,
 - d. Area D from VM2 to VM[dddr].

2. Add a new exception, VM[aaar] Syyy, to Section 240 – Rural Exceptions, which includes the following:
 - a. In Column II the text “VM[aaar] Syyy”;
 - b. In Column IV the following as non-permitted uses:

Amusement centre	Animal care establishment
Apartment dwelling, low-rise	Automobile rental establishment
Automobile service station	Cemetery
Cinema	Day care
Diplomatic mission	Funeral home
Gas bar	Home-based day care
Library	Linked-detached dwelling
Marine facility	Medical facility
Townhouse dwelling	Municipal service centre
Place of assembly	Place of worship
Post office	Recreational and athletic facility
Rooming house	Rooming house, converted
Rooming unit	Semi-detached dwelling
Shelter	Sports arena
Stacked dwelling	Animal Hospital
Residential Care Facility	

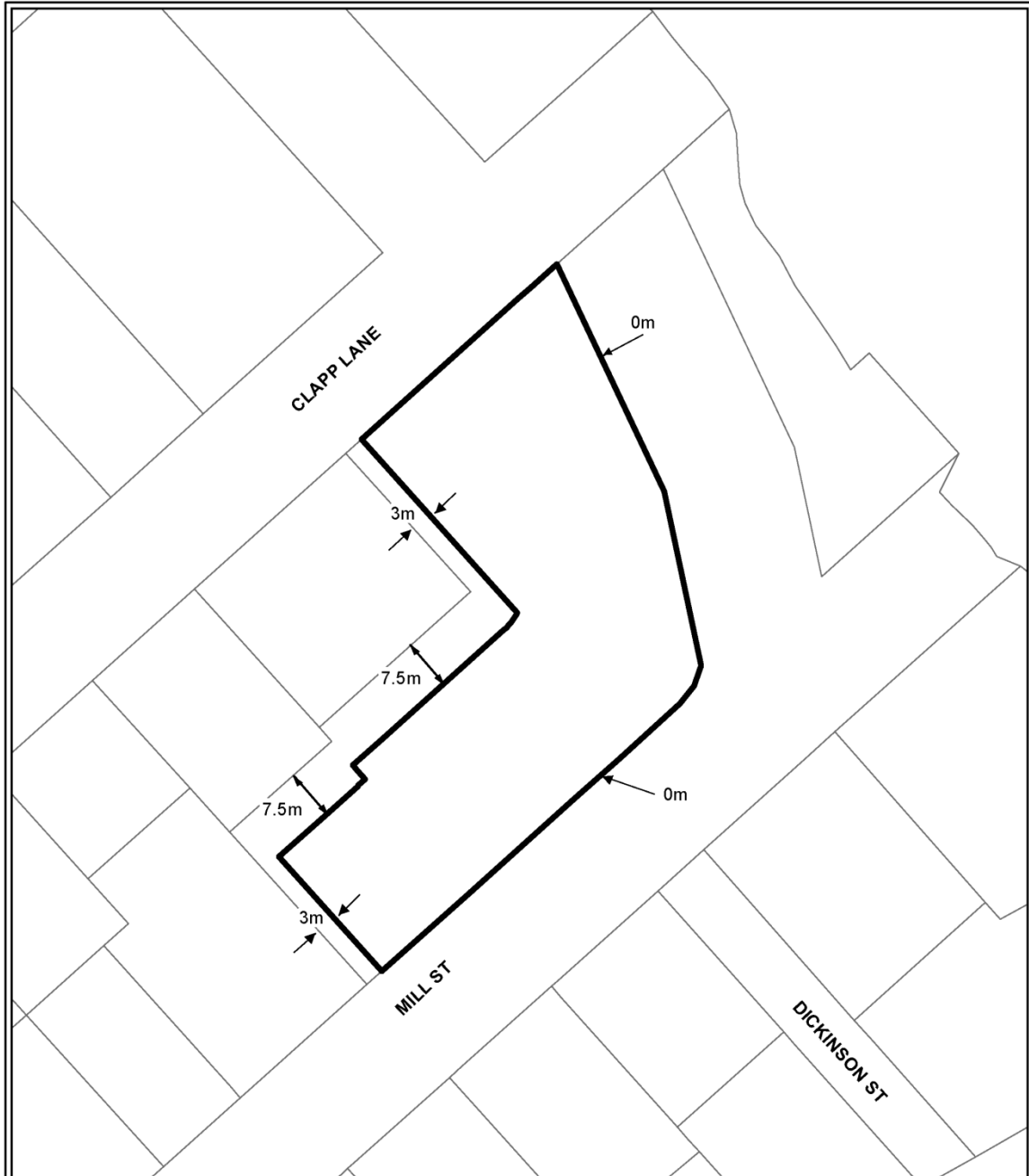
- c. In Column V the following provisions:
 - i. each individual use not exceeding a gross leasable floor area of 120 m²
 - ii. minimum lot area: 450 m²
 - iii. minimum lot width: 15 m
 - iv. the setbacks of Table 229 do not apply and all minimum required setbacks are as per Schedule yyy
 - v. minimum width of landscaped area: no minimum

3. Add a new exception, VM[cccr], to Section 240 – Rural Exceptions, which includes the following:
 - a. In Column II the text “VM[cccr]”;
 - b. In Column IV all of the same non-permitted uses as in the VM[aaar] Syyy zone

- c. In Column V the following provisions:
 - i. minimum lot area: 450 m²
 - ii. minimum lot width: 15 m
 - iii. minimum front and corner side yard setback: 0 m
 - iv. minimum interior side yard setback: 3 m
 - v. minimum width of landscaped area: no minimum

- 4. Add a new exception, VM[dddr], to Section 240 – Rural Exceptions, which includes the following:
 - a. In Column II the text “VM[dddr]”;
 - b. In Column IV the following as non-permitted uses:
 - i. All the uses shown above for the VM[aaar] Syyy exception, except for: apartment dwelling, low-rise, stacked dwelling, linked-detached dwelling, home-based day care, medical facility, municipal service centre,
 - ii. Three-unit dwelling
 - iii. Park
 - c. In Column V the following provisions:
 - i. minimum lot area: 1350 m²
 - ii. minimum lot width: 20 m
 - iii. minimum setback from Clapp Lane and Bridge Street: 3 m
 - iv. minimum setback from Mill Street: 0 m
 - v. minimum interior yard setback abutting a residential zone: 7.5
 - vi. there is no maximum setback requirement
 - vii. maximum building height: 12 m
 - viii. maximum number of storeys: 3
 - ix. The following uses may only be located on the ground floor and must each not exceed a gross leasable floor area of 120 square metres: bar, community health and resource centre, instructional facility, community centre, convenience store, medical facility, municipal service centre, museum, personal service business, restaurant, retail store, retail food store, service and repair shop, small batch brewery.

- 5. Add Document 3 as a new schedule to Part 17 - Schedules



	<p>This is Schedule _____ to Zoning By-law No. 2008-250 Annexe _____ au Règlement de zonage n° 2008-250</p>	<p>Échelle N.T.S. Mètres</p>
<p>12-0030</p>		
<p>I:\CO\2012\ZONING\CLAPP_1125_SCHEDULE2</p> <p>Produced by Infrastructure Services and Community Sustainability Produit par le Services d'infrastructure et Viabilité des collectivités</p>	<p>This is Attachment _____ to By-law Number _____, passed _____, 2012 Pièce jointe n° _____ du Règlement municipal n° _____, adopté le _____, 2012</p>	<p>Scale N.T.S. Metres</p>

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. In addition at the request of the Ward Councillor a Community Information Session was held in the Community on August 2nd, 2012.

Public Comments

Comment:

Will this zoning change setting a precedent for other future development within the Village?

Response:

The proposed height limit is site specific and does not set precedent.

Comment:

What are the actual architectural guidelines and parameters proposed for the Clapp property and are they binding and enforceable?

Response:

The Architectural Design Guidelines were developed by an Architect hired by the Corporation, formerly a member of the City's Heritage Advisory Committee. They were also reviewed and accepted by the City's Senior Heritage Planner. The guidelines address building materials, building articulation, fenestration, lighting and other matters related to building design to have regard and be consistent with the heritage character of the area. The Architectural Design guidelines will be attached to the purchase and sales agreement and will be binding on any future purchaser as part of the sales contract

Comment:

What did the City pay for the Clapp property?

Response:

It is a matter of public record and can be found in a report to Council dated November 8, 2007.

<http://ottawa.ca/calendar/ottawa/citycouncil/occ/2007/11-28/csedc/ACS2007-BTS-RPM-0045.htm> that Council approve the acquisition for \$590,000 plus GST

Comment:

What is the anticipated dollar difference to the City/MMQCDC resulting from the proposed zoning change for the property?

Response:

It is unknown until such time the Corporation actively markets the property.

Comment:

Specifically, I have a problem with the City requesting a zoning bylaw amendment to increase the maximum height of the Clapp Property to 13.5 m, breaking what we are referring to as the “glass ceiling” of 11 m in the current bylaw. By now, you may have heard that Councillor Moffatt has been busy all weekend responding to residents who are concerned about this proposed height increase and the damage it will do to the historical character of the Square and the precedent it will set that will allow other developers to seek greater than 11 m for their buildings all over the village.

This issue is one of the most important and controversial issues that has caused a lot of reaction among residents.

Can you tell me, now that the process of Zoning Bylaw Amendment has started, can this issue of increased height be pulled out of the amendment and who has to request this?

Response:

The applicant may during the processing of the application and up to and including the Committee meeting amend the application.

Comment:

Since amalgamation Manotick residents have witnessed many of the important policies set out in our village’s Secondary Plan cast aside. The latest news is significant because it comes in the form of a rezoning application to increase the height limit for buildings built on land bordering on Dickinson Square – the Village’s historic heart. The applicant? The City of Ottawa. Ostensibly, this is part of the city’s effort to recoup over \$2.4M spent several years ago on the acquisition of the buildings and lands of Dickinson Square from the Rideau Valley Conservation Authority. While the details were unclear, it was always understood that the expenditure would somehow be paid back and the city created a private corporation to begin the process of figuring out the details of how this might be accomplished. On August 24, 2009 the city established a not-for-profit corporation called the “Manotick Mill Quarter Community Development Corporation” with the City of Ottawa as its sole shareholder. The main object of the corporation (as stated on the City’s website) is to ‘implement the vision for a “Mill

Quarter” centered on Manotick’s historic Dickinson Square. As part of this implementation, the corporation will “plan, subdivide and develop properties within the Mill Quarter to accommodate commercial tourist and heritage uses including commercial accommodation, boutiques, galleries, craft and other specialty outlets, museums, restaurants and studios.” The main object of the corporation aside, its first order of business has turned out to be the selloff of the property at 1125 Clapp Lane, a parcel of land on the northwest corner of Dickinson Square, surrounded by Clapp lane, Bridge St. and Dickinson St. In order to increase the real estate value of this property, the city, with approval of the Manotick Mill Quarter Community Development Corporation, has filed an application to rezone the property to allow a 4-storey structure there. Given its proximity to Watson’s Mill, a building of this size would at very least compete with and possibly ‘dwarf’ both the mill and the various churches in the vicinity. It might also create a ‘canyon’ along Bridge St. that would negatively affect the character of the village into the future. However, it would do much more. It would set a precedent that would make it difficult if not impossible to defend those aspects of the Secondary Plan that speak to the matter of village architectural character. Manotick’s Secondary Plan has clear policies and justifications for its current 3- storey height limit. For example, in Manotick’s Secondary Plan (found in Volume 2C (Village Plans), Section 3.7.2.4 A 2(Policies) Section (f) (Respect for Architectural Character) we read:

“Council shall ensure new development in the Village Core respects the scale, form and character typical of buildings in the historic areas of the Village Core. Accordingly, Council may develop zoning and other land use regulations and tools that will assist in implementing this policy. This may include such regulations and “build to lines”, building envelopes (sic), upper storey setbacks, signage and other façade and roof treatment provisions. In the interim, building heights will be limited to a maximum of three-storeys throughout the Village Core.”

The above paragraph is copied again in Section 3.7.2.12 Heritage Conservation and Design Guidelines, following which is written in section 3.7.2.12 B. (Principles of Design and Development) Paragraph 4 (Institutional Landmarks) the rationale for the three-storey limit:

“The existing character and identity of Manotick, in particular its institutional landmarks, should be preserved and enhanced as the most prominent elements of the Village’s skyline.”

So, we now learn that, notwithstanding the city’s own policies and “shalls” and “shoulds” written into its own Secondary Plan for Manotick an application to rezone the most sensitive part of our village has been submitted with the approval of, amongst others, our own elected representatives. I’ve heard people say that the proposed change is only ‘minor’ -- from 11m to 13+m. A modest increment, perhaps, but the thin-edge-of-the-wedge in reality. In retrospect it is not surprising that the Board of the Manotick Mill Quarter Community Development Corporation wanted their deliberations to be private: contemplating as they were something so offensive to these portions of Manotick’s Secondary Plan. But their actions should also offend every ratepayer in Rideau Goulbourn Ward -- and indeed this city-- for it has created a process allowing for the

expenditure of public money without a public mandate for doing so. Public consultation is recommended at every stage in a process affecting communities in this way and common sense dictates that the public should be consulted before, not after, such a process is started, to gauge its acceptance in advance of spending public money on the preparation and prosecution of the application. City planning staff regularly ask developers to discuss their plans with the community in advance of submitting their formal zoning applications. You'd think that the city would at least be true to its own policies and practices here. Unfortunately, it appears they don't feel the need to play by the same rules they have established for others. The actions of this Board limits the opportunity for public debate on this issue to the formal confines of meetings required by the Municipal Planning Act or before the Agricultural and Rural Affairs Committee (no public discussion is permitted at meetings of City Council). Since at least two of the Manotick Mill Quarter Community Development Corporation Board members (including the Chair) also sit on the Agricultural and Rural Affairs Committee (which votes on the proposal first) and since five of them also sit on City Council, where its final disposition is determined; one would not be surprised if the application passed. Clearly, this is a conflict of interest situation. Imagine going to ask for a second and third opinion on a medical matter only to find yourself – both times-- sitting before the same physician that gave you the first one! Perhaps is not surprising that there is so much secrecy around this issue given the amount of concern expressed by Manotick residents who have become aware of the application after the fact. It is likely that the voice of the community would have been a resounding “no” if the matter were vetted in public beforehand. Of course the members of the Board of the Manotick Mill Quarter Community Development Corporation have a different ‘take’ on the situation; claiming they were/are obligated to silence by some regulation of their corporation. Their rationale is that the city doesn't want leakage of the deliberations of the Board that might give one party an advantage over the others in the ensuing bidding process, should it occur. The fact is that there is no legal requirement that the deliberations of the Board of a private corporation be kept from public scrutiny. What remains private or released for public consumption is entirely at the discretion of the Board members. Being a child of the City of Ottawa the Board of the Manotick Mill Quarter Community Development Corporation should be publicly accountable -- its activities not carried out behind closed doors. There is no reasonable argument for keeping the public from access to the minutes of all its meetings, including the record of voting of all its Board members on motions – whether they be internally generated or brought forward by city staff. Secrecy plays no useful purpose here. All it accomplishes is the generation of uncontrolled speculation – most of which results in further erosion of the public trust in municipal government. For example, someone more cynical than I might speculate that their need for secrecy wasn't motivated by the Board's stated rationale at all -- quite the reverse: that a developer had approached the city with a proposal that requires extending the current height restriction and the Board didn't want the public, including other developers, to know about it until it was a sole source ‘done deal’. True? False? We'll never know because the city plays its secrecy card under the guise of being even-handed to developers in a manner that also cloaks the facts from the ratepayers and voting public. It is reasonable to expect publicly elected officials and city employees understand that their mandate is to work on behalf of the ratepayers in a fair and transparent manner. It is also reasonable to expect the public to be informed in

advance of initiatives that have such potential impact on a community. If successful, this rezoning application will set a precedent with the potential to destroy Manotick's village character in a matter of years. If the city is able to successfully crack open its own village Secondary Plan in this way, how can it, in turn, justify defending that same Plan against any developer who wishes to violate the same three storey height restriction in some other part of the village? If four, why not a little more, like five? If there is five-storey buildings in the village, it's a small increment to six...

Elected representatives deliberating like this behind closed doors don't serve the public interest. I think it's time for some sunlight on this issue.

Summary of Comments on Initial Circulation

The above-noted comments were received during the initial circulation of this application. A number of comments were raised with respect to the proposed height increase for the 1125 Clapp Lane property (Parcel C) from 11 metres to 13.5 metres. In addition, approximately sixty emails from Manotick residents opposing the height increase were also received by the Councillors Office. The Manotick Village Community Association also raised concerns and requested that the proposed height limit be lowered to 11 m.

As a result of the numerous objections, the Ward Councillor requested that a Community Information Session be held.

August 2nd, 2012 – COMMUNITY INFORMATION SESSION COMMENT SUMMARY

At this meeting the applicant (City of Ottawa) presented an amended version of the zoning application. Many of the residents were pleased to hear that the proposed height increase for the 1125 Clapp property had been revised to reflect a 1m increase rather than the original proposal for a 2.5 m increase. Comments were also received with respect to the Manotick Mill Quarter Community Development Corporation (MMQCDC) lack of communication with the community. A case for having the Manotick Secondary Plan reviewed in 2013 as a priority was also presented by the MVCA. As a result there was unanimous support from the community to have this application held in abeyance until there was a commitment by the City to have the Manotick Secondary Plan reviewed in 2013.

COMMUNITY ORGANIZATION COMMENTS

Manotick Community Association

The City of Ottawa at the Councillor's Aug 2nd, 2012 Open House meeting presented an amended version of the City's zoning application D02-02-12-0028 where the height for 1125 Clapp Lane was reduced from 13.5 m down to 12 m to be consistent with the

requirement of Manotick's Secondary Plan for buildings to be no taller than three stories and not as tall as Watson's Mill.

At the same meeting, residents asked and the Councillor responded in the affirmative that the City's zoning application D02-02-12-0028 be put "on hold" until the completion of the review and update of Manotick's Secondary Plan. At that time there had been no firm commitment by the City on when it would complete the review and update of Manotick's Secondary Plan. Residents noted that Manotick was the only rural village in Ottawa that had not had its Secondary Plan review completed and expressed frustration that spot zoning applications were coming forward from the City of Ottawa that were inconsistent with its dated Secondary Plan.

At the open mike session of the September 6th ARAC meeting in Cumberland, I brought up the issue of Manotick's Secondary Plan and the General Manager of Planning and Growth Management Department made the commitment to include Manotick's Secondary Plan as a priority in his 2013 work plan to be completed in 2013. It is my understanding that the GM's commitment was confirmed to the Councillor in writing.

Subsequently, at the Councillor's October 9th Town Hall meeting in Manotick, the Councillor, in response to a question from MVCA Secretary Ted Ross, agreed to negotiate with Staff that the review and update of Manotick's Secondary Plan follow a similar methodology as was used in creating the first Secondary Plan. Specifically, that the Secondary Plan review and update be directed by a Steering Committee whose members include Manotick community leaders, and where the work of conducting the review is done by a team comprising Staff, consultants and community volunteers (residents). It was recognized that this approach would ensure strong community support and participation while perhaps taking a little longer than an exercise where direction is given by Staff and the work done by consultants and where the community's input would be limited to a 2-3 hour workshop followed by a Staff/consultant presentation of the completed work and community reaction/response.

On the basis that the height for Clapp Lane will be limited to 12 m and the height for 1127 and 1128 Mill Street will be limited to 11 m, and Council approves Manotick's Secondary Plan to be on the 2013 workplan, and the methodology/approach involves the Community and its leaders to the same level as with the first Manotick Secondary Plan, the MVCA supports the City's Zoning application D02-02-12-0028.

SUMMARY OF PUBLIC INPUT

To conclude the commenting on this application it appears that there is community support for the 1125 Clapp Lane, 1127 and 1128 Mill Street zoning by-law amendment. The support of course is pending subject to the City committing to a review of the Manotick Secondary Plan in 2013. To the end in the interests of moving this application forward a commitment by the City has been made to make the Secondary Plan review a priority item on the Departments 2013 budget plan.