

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
14 November 2017 / 14 novembre 2017**

**and Council / et au Conseil
November 22, 2017 / 22 novembre 2017**

**Submitted on November 2, 2017
Soumis le 2 novembre 2017**

**Submitted by
Soumis par:
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Ward: BEACON HILL-CYRVILLE (11) File Number: ACS2017-PIE-PS-0124

SUBJECT: Zoning By-law Amendment – 2144 East Acres Road

OBJET: Modification au Règlement de zonage – 2144, chemin East Acres

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 2144 East Acres Road to permit Place of Worship as a 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 City Clerk and Solicitor's Office and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements' at the City Council Meeting of 22 November 2017," subject to submissions received between the publication of this report and the time of Council's decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 visant le 2144, chemin East Acres, afin de permettre la présence d'un lieu de culte en tant qu'utilisation autorisée, comme l'expose en détail 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 de l'avocat général 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 du projet de loi 73 », à la réunion du Conseil municipal prévue le 22 novembre 2017, 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

2144 East Acres Road

Owner

Pine Grove Bible Church

Applicant

This is a City-initiated amendment.

Description of site and surroundings

The site is located on the south side of East Acres Road, directly north of Regional Road 174, and east of Laporte Street, as shown on Document 1.

The site is irregular in shape with approximately 70 metres of frontage along East Acres Road with an approximate area of 9, 616 square metres. Existing on site is the Pine Grove Bible Church with an associated surface parking lot, a classroom portable building, and a small community garden. The site is surrounded by single-detached residential dwellings to the north, east and west, with Regional Road 174 running along its southern edge. The majority of the rear yard is grassed except for a small section of trees on its west side and a vegetated buffer separating the site from Regional Road 174.

Summary of requested Zoning By-law amendment proposal

The City is proposing to rezone the site from Residential, Second Density, Subzone 2 (R2N) to Minor Institutional, Subzone F, Exception XXXX (I1F[XXXX]) to include Place of Worship as a permitted use, as detailed in Document 2. The purpose of the exception is to reduce the minimum required front yard setback from 7.5 metres to 2 metres and to include Urban Agriculture as an additional permitted use so that the church's existing community garden program can continue.

Brief history of proposal

The site was originally zoned Rsd under former City of Gloucester By-law 222 of 1984, which permitted a Place of Worship. The site was then rezoned Rd1 under former City of Gloucester By-law 333 of 1999, which no longer permitted a Place of Worship. However, the church was established several years prior to the Rd1 zone. Under the current Zoning By-law, the site is zoned R2N, which does not permit a place of worship.

DISCUSSION

Public consultation

Notice of this application was circulated to surrounding landowners and one standard City sign was installed on site giving notice of this Zoning By-law amendment in accordance with Council approved policy for Public Notification and Consultation and the *Planning Act*.

Three comments were received. Two residents requested further information and to be notified of any future meeting and decisions. One resident expressed agreement with the proposal.

Official Plan designation

According to schedule B of the Official Plan, the property is designated as General Urban Area. The General Urban Area designation permits a broad scale of uses including low to high density residential, employment, retail, service, cultural, leisure, entertainment and institutional uses.

Urban Design Review Panel

The application was not subject to the Urban Design Review Panel.

Planning rationale

The proposed site specific Zoning By-law amendment would permit an existing use that was permitted on site at the time of its construction. Due to changes to the City's Zoning By-law, first in 1999 and then in 2008, the existing Place of Worship is considered a legal non-conforming use.

As per Official Plan Policy 3.6.1.1, the General Urban Area designation permits a wide variety of uses including institutional.

Place of Worship is a permitted use in the minor institutional F subzone in the City's Zoning By-law. The City has little institutional land available for uses such as schools and places of worship. The comprehensive zoning strategy that was used in the creation of the Comprehensive Zoning By-law 2008-250 intended to apply institutional zoning to places of worship specifically in the effort to retain these lands for institutional purposes.

The proposed exception to reduce the minimum front yard setback to 2 metres and to include Urban Agriculture as an additional permitted use accommodates the existing location of the church building on the site and allows the church to continue its community garden program.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014.

RURAL IMPLICATIONS

There are no rural implications.

COMMENTS BY THE WARD COUNCILLOR

Councillor Tierney is in support of the application and provides the following comments:

“It is unfortunate that so many years after amalgamation, these housekeeping matters were not addressed.

This is much to the detriment of the Pine Grove Bible Church as it seeks to do what should be simple renovations and to residents who are now confused as to what is going on.

While I understand that residents have to be informed of these changes, it should have been made clear from the outset that this was simply an administrative matter and that the church wasn't going anywhere.”

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the recommendations contained within this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priority:

HC1 – Advance equity and inclusion for the City's diverse population.

APPLICATION PROCESS TIMELINE STATUS

This application 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

CONCLUSION

The Planning, Infrastructure and Economic Development Department recommends the approval of the proposed Zoning By-law amendment as it conforms to the Official Plan policies and permits an existing legal non-conforming use.

DISPOSITION

Legislative Services, Office of the City Clerk and Solicitor to notify the owner; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

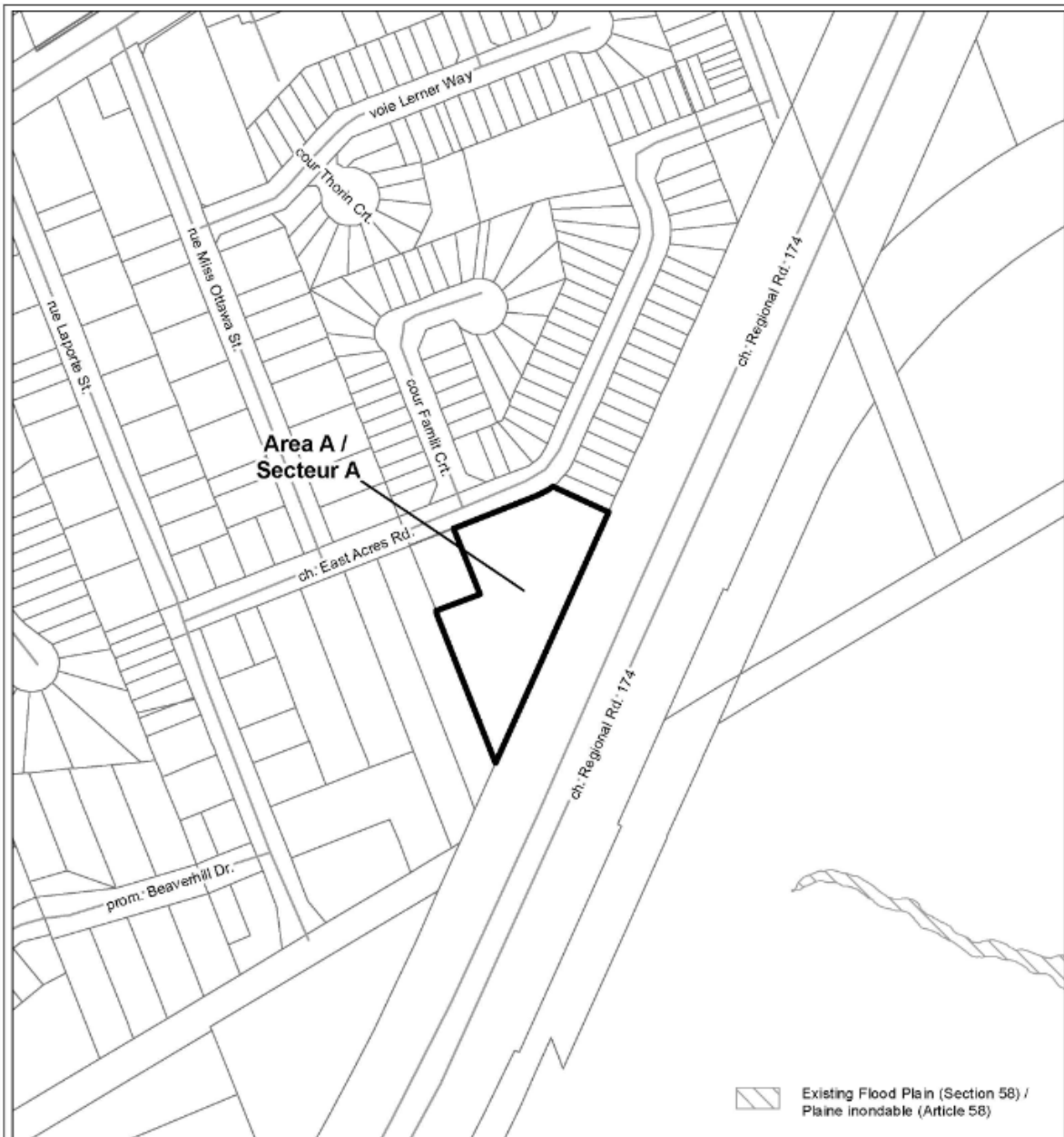
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.




Legal Services, Office of the City Clerk and Solicitor 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.



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-17-0084	17-1259-X	 2144 chemin East Acres Road	Area A to be rezoned from R2N to I1F[xxxx] Le zonage du secteur A sera modifié de R2N à I1F[xxxx]
I:\CO\2017\Zoning\East_Acres_2144			
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REVISION / RÉVISION - 2017 / 10 / 02			

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 2144 East Acres:

1. Rezone the land shown in Document 1 as follows:
 - a. Area A from R2N to I1F[XXXX]
 - b. Amend Section 239, Urban Exceptions, by adding a new exception, XXXX, with provisions similar in effect to the following;
 - a. In Column II, add the text, “I1F[XXXX]”
 - b. In Column III, add the following land uses:
 - i. Urban Agriculture
 - c. In Column V, add the following provision:
 - i. Minimum front yard setback of 2 metres for Place of Worship