

<p>1. ZONING BY-LAW AMENDMENT – 2403 HUNTLEY ROAD MODIFICATION AU RÈGLEMENT DE ZONAGE – 2403, CHEMIN HUNTLEY</p>

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for 2403 Huntley Road to permit rural commercial uses as detailed in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification au Règlement de zonage (n° 2008-250) concernant le 2403, chemin Huntley afin de permettre des utilisations commerciales en milieu rural, comme l'explique en détail le document 2.

DOCUMENTATION / DOCUMENTATION

1. Director, Planning Services, Planning, Infrastructure and Economic Development Department report dated 16 January 2018 (ACS2018-PIE-PS-0016).

Rapport de la Directrice, Services de la planification, Direction de la planification, de l'infrastructure et du développement économique daté le 16 janvier 2018 (ACS2018-PIE-PS-0016).

2. Extract of draft Minutes, Agriculture and Rural Affairs Committee, 1 February 2018.

Extrait de l'ébauche du procès-verbal, Comité de l'agriculture et des affaires rurales, le 1 février 2018.

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 31
14 FEBRUARY 2018**

2

**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 31
LE 14 FÉVRIER 2018**

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
1 February 2018 / 1er février 2018**

**and Council
et au Conseil
14 February 2018 / 14 février 2018**

**Submitted on 16 January 2018
Soumis le 16 janvier 2018**

**Submitted by
Soumis par:**

**Lee Ann Snedden,
Director / Directrice**

Planning Services / Services de la planification

**Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique**

Contact Person / Personne ressource:

**Natalie Persaud, Planner/Urbaniste, Development Review Rural / Examen des
demandes d'aménagement ruraux
(613) 580-2424, 12681, Natalie.Persaud@ottawa.ca**

Ward: RIDEAU-GOULBOURN (21)

File Number: ACS2018-PIE-PS-0016

SUBJECT: Zoning By-law Amendment – 2403 Huntley Road

OBJET: Modification au Règlement de zonage – 2403, chemin Huntley

REPORT RECOMMENDATIONS

- 1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 2403 Huntley Road to permit rural commercial uses as detailed in Document 2.**
- 2. That Agriculture and Rural Affairs 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 14 February 2018," 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'agriculture et des affaires rurales recommande au Conseil d'approuver une modification au Règlement de zonage (n° 2008-250) concernant le 2403, chemin Huntley afin de permettre des utilisations commerciales en milieu rural, comme l'explique en détail le document 2.**
- 2. Que Comité de l'agriculture et des affaires rurales 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 14 février 2018, 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 supporting documents related to this application visit the [link to Development Application Search Tool](#).

Site location

2403 Huntley Road

Owner

Israr Akhtar c/o IAQI Holdings Inc.

Applicant

Israr Akhtar c/o IAQI Holdings Inc.

Architect/Engineering

Arch-Nova Design Inc.

Description of site and surroundings

The property is located at the northeast corner of Huntley Road and Fallowfield Road. It is a square shaped property with an approximate area of 3,700 square metres. The site is vacant and mostly treed. It is adjacent to a 30-unit country lot-estate subdivision, Kimini Drive. A mineral extraction zone is located within 30 metres of the site and to the southeast is an amusement centre. The surrounding area is predominantly rural and includes agricultural uses.

Summary of requested Zoning By-law amendment proposal

The site is currently zoned Rural Countryside (RU). It is requested that the site be rezoned to Rural Commercial, Subzone 11, Exception xxxr (RC11[xxxr]), in order to permit a limited range of commercial uses, as detailed in Document 2.

Brief history of proposal

This Zoning By-law amendment application was filed on November 9, 2015. Following review of the initial submission, Staff provided comments to the Proponent, which demonstrated issues with the submission. The review identified concerns over the adequacy of water based on the 'Private Well Sampling Summary' as well as the ability for the site to handle sewage flow, based on what was proposed. Inconsistencies in the 'Planning Rationale' were also identified. The Proponent was asked to provide clarity over the proposal and submit additional plans and studies in support of their requested amendment.

A revised submission was received by Staff in July 2016 and concerns still remained. The reports submitted did not address concerns related to adequate water nor did the revised site design demonstrate that the proposal can be accommodated at this site.

Staff continued to work with the Proponent to ensure that concerns were addressed and that the most appropriate uses can be established for this site based on existing constraints. On November 24, 2017, Staff and the Proponent came to an agreement over the list of proposed uses and other related zoning provisions, following completion of further study on the adequacy of water.

DISCUSSION

Public consultation

Notification and public consultation was undertaken in accordance with the Public Notification and Consultation Policy approved by City Council for Zoning By-law amendments. No City led community information and comment sessions were held in the community.

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

Official Plan designation

The site is designated in the Official Plan as General Rural Area. This designation allows for a variety of land uses that are appropriate for a rural location and that which

do not preclude or restrict agricultural uses or other non-residential uses. Sections 3.7.2 (5) and 3.7.2 (6) identify the circumstances under which a Zoning By-law amendment would be required for changes of use in the General Rural Area and criteria to be met when considering changes of use. To permit a new use, the following must be considered:

- a) that the uses must not be better located in a village or the urban area;
- b) that traffic anticipated from the development will not interfere with the proper functioning of the local road network;
- c) that adequate separation between adjacent landowners to mitigate potential for adverse impacts can be achieved and that adverse impacts be reduced;
- d) that the development is in keeping with the surrounding rural character and landscape;
- e) that requirements related to transportation, servicing, design and compatibility, and environmental protection be met;
- f) that noxious uses only be considered where suitable screening and buffering can be provided and will not be considered adjacent to residential areas; and
- g) that there will be limited impact on local wildlife and tree cover.

Planning rationale

Upon the initial application submission, the applicant requested that the site be rezoned from Rural Countryside (RU) to Rural Commercial, Subzone 11 (RC11), which included a range of commercial uses, some of which were industrial in nature. Proposals for Zoning By-law amendments are often conceptual and are intended to demonstrate how the proposal is possible given site constraints such as size, location, compatibility, and availability of infrastructure.

The site is approximately two kilometres from the urban boundary and 5 kilometres from the Village of Richmond. It is located adjacent to residential uses with no direct access to this neighbourhood and is in proximity of mineral extraction activities. Studies related

to infrastructure identified that the water quality parameters exceeded the maximum treatable limit as per the Ministry of Environment's D-5-5 guidelines. Given the quality of the water, the location of the site, and the surrounding sensitive uses, staff did not believe the initial uses requested to be suitable for the site.

The Proponent conducted further study on the quality of the water, and submitted 'Hydrogeological Investigation', prepared by Houle Chevrier Engineering, dated July 10, 2017, for review. This report continued to identify water with exceedances in chloride, an aesthetic objective that exceeds both the Ontario Drinking Water Objective and the Maximum Concentration Considered Reasonably Treatable in the Ministry of Environment and Climate Change D-5-5 Guideline. This guideline is applied to developments where water is used for human consumption.

It was determined that further study would likely not identify higher quality water and thus the recent study was used to inform uses that would be appropriate for this site, based on these findings. Staff believe the uses proposed in Document 2 to be the best for this site. The nature of these operations do not rely on water for human consumption and the proposed uses provide services to the travelling public and nearby residents while not conflicting with uses in the surrounding urban and rural areas, thereby addressing the policies of the Official Plan noted above.

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 implications to the rural area associated with this report. The proposed uses will offer additional services and conveniences to people in the rural area, namely those who live adjacent to the site, and those travelling by or accessing nearby businesses.

COMMENTS BY THE WARD COUNCILLOR

Councillor Scott Moffatt is aware of the application.

LEGAL IMPLICATIONS

There is no legal impediment to adopting the recommendations in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report, however, it should be noted that elevated levels of chloride have been identified in the private water source and it is not recommended for consumption. Signs informing of water quality should be posted near any water fixtures to deter consumption.

ASSET MANAGEMENT IMPLICATIONS

There are no implications to the City's infrastructure assets associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this application. Accessible design considerations will be furthered through applications for site plan control and the building permit process.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

EP2 – Support growth of local economy

ES1 – Support an environmentally sustainable Ottawa

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 related to appropriate uses for the subject site.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Public Consultation Details

Document 4 Conceptual Site Plan Layout

CONCLUSION

Planning Services recommends approval of this application as the uses proposed are appropriate for the location, supported by the Official Plan and Provincial Policy Statement, and are complimentary to the uses in the surrounding area.

DISPOSITION

Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; 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.

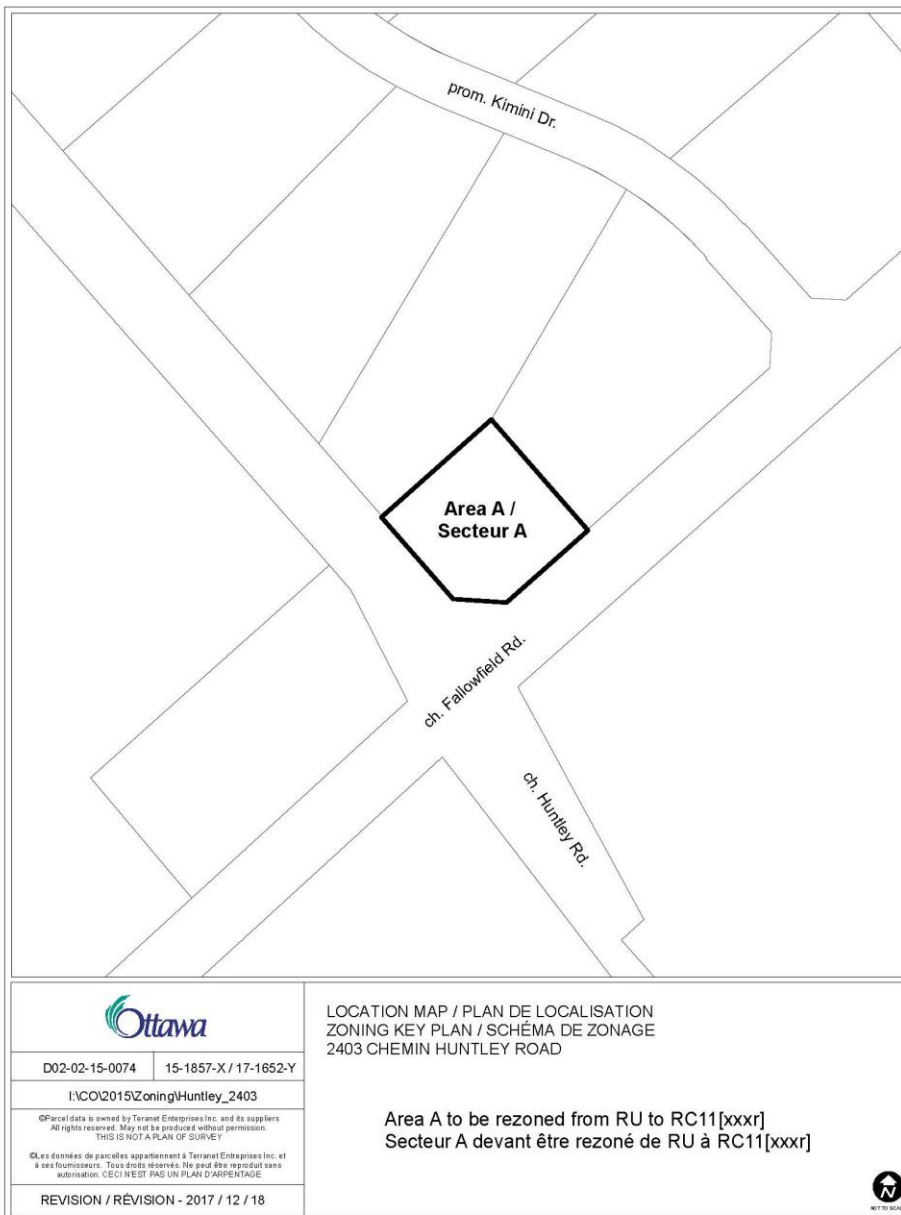
Zoning and Interpretations Unit, Economic Development and Long Range Planning to prepare the implementing by-law and forward to Legal Services.

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



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 2403 Huntley Road.

1. Rezone Area on Document 1 from RU to RC11[xxxxr]
2. Add a new exception XXXr to Section 240 – Rural Exceptions including provisions similar intent to the following:
 - a) By adding the following text to Column III:

“Bank Machine”
 - b) By adding the following text to Column IV:

“All uses except, amusement centre, artist studio, convenience store, office, personal service, retail store.
 - c) By adding the following text to Column V:
 - i. no single occupancy can occupy more than 200 square metres of gross leasable floor area
 - ii. The parking rate is 3/100 sq. m. of gross floor area.
 - iii. Maximum lot coverage is 25 per cent
 - iv. Outdoor storage is not permitted
 - v. Zoning mechanism 218C(k) in Table 218C – RC11 subzone provisions does not apply.
 - vi. Despite zoning mechanism 218C(i) in Table 218C – RC11 subzone provisions, a maximum of 7 parking spaces may be located in a required yard abutting Huntley Road.
 - vii. A refuse and collection structure may be located 1-metre from an interior or rear lot line.

Document 3 – Consultation Details

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. No public meetings were held in the community.

Public Comments and Responses

Comment:

There is a concern for hazardous uses. Gas stations should not be permitted.

Response:

Hazardous uses are not included for approval in this report and will not be permitted.

Comment:

There is a concern for cut through traffic from Fallowfield to Huntley Road

Response:

The site is a small corner lot and driving through the private commercial site to avoid the major intersection may not be time saving. At the time of a site plan control application, Planning Staff will look closely at the proposed accesses to ensure an efficient traffic design.

Comment:

What are the noise generators from the site?

Response:

The uses proposed are not typically noise generating. The building itself may have an exterior HVAC system that could generate some noise. Noise mitigation options for any generators will be examined at site plan control.

Comment:

It is not clearly understood what is being definitively proposed.

Response:

The initial proposal lacked clarity over what types of uses were proposed. This Staff report clearly outlines in Document 2, the list of uses that have been recommended for approval.

Community Organization Comments and Responses

Not provided.

Document 4 – Conceptual Site Plan Layout

