

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 36
11 JULY 2018**

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**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 36
LE 11 JUILLET 2018**

**EXTRACT OF DRAFT MINUTES 37
AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
5 JULY 2018**

**EXTRAIT DE L'ÉBAUCHE DU
PROCÈS-VERBAL 37
COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
LE 5 JUILLET 2018**

**PLANNING, INFRASTRUCTURE AND ECONOMIC DEVELOPMENT DEPARTMENT
ECONOMIC DEVELOPMENT AND LONG RANGE PLANNING**

BY-LAW – 4837 ALBION ROAD AND 4910 BANK STREET

ACS2018-PIE-EDP-0036

OSGOODE (20)

REPORT RECOMMENDATIONS

- 1. That Agriculture and Rural Affairs Committee recommend Council approve the specific criteria for consideration of an application for minor variance by the Committee of Adjustment for 4837 Albion Road and 4910 Bank Street, 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 11 July 2018", subject to submissions received between the publication of this report and the time of Council's decision.**

CARRIED as amended by the following motion

MOTION ARA37/01

Moved by: Councillor E. El-Chantiry

WHEREAS on May 9, 2018, as part of City Council's approval of a Zoning By-law amendment to permit a hotel use and theater use and to allow for 55 gaming tables for the proposed expansion of the Rideau Carleton Raceway and Casino by Hard Rock Casino Ottawa, Council directed staff through motion to initiate a by-law under section 45 (1.0.3) to establish specific criteria in respect of any proposed expansion of the number of gaming tables at the Hard Rock Casino Ottawa at 4837 Albion Road so that any such proposal is to be heard by Agriculture and Rural Affairs Committee and Council of the City of Ottawa; and

WHEREAS report ACS2018-PIE-EDP-0036 titled "By-law – 4837 Albion Road and 4910 Bank Street was written to create a bylaw as directed; and

WHEREAS report ACS2018-PIE-EDP-0036 was circulated in advance of the Agriculture and Rural Affairs agenda; and

WHEREAS feedback received from the advanced circulation of the report highlighted inconsistencies with the implementation of Council's direction,

WHEREAS the following amendments have been made to the Rationale section of the Staff Report:

Paragraph Location	Original Text	Amended Text
<p>Section: Rationale Paragraph: 3</p>	<p>The criteria is twofold: 1) that a Minor Variance application does not include an addition or expansion to the gaming tables above 55 gaming tables; and 2) that it include a description of the layout and number of gaming tables within the casino floor space and impacts, if any, of the variance upon the master plan for the site.</p>	<p>The criteria as directed by Council is that a Minor Variance application does not include an addition or expansion to the gaming tables above 55 gaming tables.</p>
<p>Section: Rationale Paragraph: 4</p>	<p>The rationale for such a restriction relates to the desired implementation of transportation improvements. These are set out in the removal of holding conditions, as follows:</p>	<p>The rationale for such a restriction relates to the desired implementation of transportation improvements. These are set out in the conditions for removal of the holding provisions, as follows:</p>

Paragraph Location	Original Text	Amended Text
<p>Section: Rationale Paragraph: 5</p>	<p>The description and implementation of the transportation improvements have also been agreed to by the proponent. In a letter dated May 7, 2018 received from Richard Gardner, Director of Treasury, Rideau Carleton Raceway and Casino, future home of Hard Rock Ottawa, Hard Rock Ottawa committed to:</p>	<p>The description and consideration of possible transportation improvements have also been agreed to by the proponent. In a letter dated May 7, 2018 received from Richard Gardner, Director of Treasury, Rideau Carleton Raceway and Casino, (found in Document 3), Hard Rock Ottawa committed to further discussions on the following items:</p>
<p>Section: Rationale Paragraph: 6</p>	<p>Any increase in the number of gaming tables from the 55 approved through By-law 2018-173 would not be minor as it would have the potential to alter the transportation impacts associated with the casino use on the site. The additional details of the internal layout are required as they could have an impact on the lay out of blocks and circulation routes, as well as how the site is arranged to fit within the desired hierarchy of streets in the area.</p>	<p><i>DELETE</i></p>

Paragraph Location	Original Text	Amended Text
Section: Rationale Paragraph: 7	The holding provisions and agreed-upon transportation improvements could also be affected. As a result, it is appropriate that any increases in the number of gaming tables (beyond 55) at the Hard Rock Casino Ottawa be heard by Agriculture and Rural Affairs Committee and Council of the City of Ottawa, so that a decision could follow a Zoning By-law amendment process. This would enable the full review by staff of transportation studies, public consultation, and a thorough consideration of any impacts to the holding symbol provisions to occur.	As directed by Council, any increases in the number of gaming tables (beyond 55) at the Hard Rock Casino Ottawa are to be heard by Agriculture and Rural Affairs Committee and Council of the City of Ottawa, so that a decision could follow a Zoning By-law amendment process. This would enable the full review by staff of transportation studies, public consultation, and a thorough consideration of any impacts to the holding symbol provisions to occur.

THEREFORE BE IT RESOLVED that the Agricultural and Rural Affairs committee (ARAC) approve the amended Rationale section of the staff report, as described in this Motion; and

BE IT FURTHER RESOLVED that ARAC approve that the Applicant and Architect identification be deleted from the staff report as this is a staff initiated report; and

BE IT FURTHER RESOLVED the Document 2 (Recommended By-Law) be replaced with the revised By-law attached to this Motion:

BY-LAW NO. 2018 - XX

A by-law of the City of Ottawa to establish specific criteria in respect of any proposed expansion or addition requiring a minor variance, of the number of gaming tables at 4837 Albion Road and 4910 Bank Street.

The Council of the City of Ottawa, pursuant to Section 45 of the *Planning Act*, R.S.O.1990, enacts the following criteria for consideration by the Committee of Adjustment:

1. In considering whether a variance is minor, the Committee of Adjustment shall address the following additional criteria:

- a) THAT such variance does not include an addition or expansion to the gaming table use, being 55 gaming tables, at this location, as approved through Council's resolution dated 9 May 2018.

ENACTED AND PASSED this XX day of XXXXXX, 20XX.

AND THEREFORE BE IT FURTHER RESOLVED that ARAC approve the addition of the Letter of Commitment, provided and attached to this motion, by The Rideau Carleton Raceway and Casino, with the subject "Letter of commitment from Hard Rock on improvements and infrastructure that assists in improving local traffic conditions" as Document 4 of the report; and

AND BE IT FURTHER RESOLVED that pursuant to the *Planning Act*, subsection 34(17) no further notice be given.

DOCUMENT 4 - :Letter of Commitment



Mayor and Council
City of Ottawa
110 Laurier Ave West
Ottawa, Ontario
K1P 1J1

May 7, 2018

Mayor and Council,

Re: Letter of commitment from Hard Rock on improvements and
infrastructure that assists in improving local traffic conditions

In accordance with Councillor Darouze's motion at Agriculture and Rural Affairs Committee on Thursday May 3rd, this shall confirm Hard Rock Ottawa's commitment to work with staff, area Councillors and other land owners on improvements and infrastructure that assists in improving local traffic conditions. This commitment shall include continued discussions on the following items:

- A private driveway on Hard Rock Casino Ottawa lands to Bank Street;
- A front ending of a portion of Earl Armstrong to Bank St (and/or constructing a driveway through the Earl Armstrong Alignment in lieu of a private driveway connection);
- Working with the developers in Leitrim of front ending improvements of Bank Street;
- Working with the City on front ending intersection improvements at Albion / Lester.

Hard Rock Ottawa looks forward to working with the Mayor, members of Council, City Staff, and the Community over the coming years in delivering this exciting development.

Richard Gardner
Director of Treasury

c.c. S Willis, City of Ottawa
J Smit, City of Ottawa

Murray Chown agent on behalf of the applicant had registered to speak but declined upon hearing the committee was prepared to carry the amended report recommendations on consent.

The Agriculture and Rural Affairs Committee CARRIED the report as amended by Motion ARA 37/01.