

- 3. Zoning By-Law Amendment – Parts of 2336 Tenth Line Road**  
**Modification au Règlement de zonage – Parties du 2336, chemin Tenth Line**

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for parts of 2336 Tenth Line Road to remove the Flood Plain overlay and to permit townhouse dwelling, stacked dwelling, and low rise apartment dwelling, as shown in Document 1 and detailed in Document 2.**

**RECOMMANDATION DU COMITÉ**

**Que le Conseil approuve une modification au Règlement municipal sur le zonage (2008-250) relativement à certaines parties de la propriété située au 2336, chemin Tenth Line, de façon à supprimer la zone sous-jacente de plaine inondable et de permettre des maisons en rangée, des habitations superposées et des immeubles d'appartements de faible hauteur, comme l'illustre le document 1 et le précise le document 2.**

**DOCUMENTATION/DOCUMENTATION**

1. Director's Report, Planning Services, Planning, Infrastructure and Economic Development Department dated September 11, 2018 (ACS2018-PIE-PS-0100)  
  
Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'Infrastructure et du développement économique daté le 11 septembre 2018 (ACS2018-PIE-PS-0100)
2. Extract of draft Minutes, Planning Committee, September 25, 2018  
  
Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 25 septembre 2018
3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of November 14, 2018, 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 October 10, 2018".

Résumé des observations écrites et orales à distribuer séparément avec l'ordre du jour de la réunion du 14 novembre 2018 du 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 10 octobre 2018 ».

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
25 September 2018 / 25 septembre 2018**

**and Council  
et au Conseil  
10 October 2018 / 10 octobre 2018**

**Submitted on 11 September 2018  
Soumis le 11 septembre 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:**

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**Ward: CUMBERLAND (19)**

**File Number: ACS2018-PIE-PS-0100**

**SUBJECT: Zoning By-law Amendment – Parts of 2336 Tenth Line Road**

**OBJET: Modification au Règlement de zonage – Parties du 2336, chemin  
Tenth Line**

## **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for parts of 2336 Tenth Line Road to remove the Flood Plain overlay and to permit townhouse dwelling, stacked dwelling,**

and low rise apartment dwelling, as shown in Document 1 and 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 October 10, 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'urbanisme recommande au Conseil d'approuver une modification au Règlement municipal sur le zonage (2008-250) relativement à certaines parties de la propriété située au 2336, chemin Tenth Line, de façon à supprimer la zone sous-jacente de plaine inondable et de permettre des maisons en rangée, des habitations superposées et des immeubles d'appartements de faible hauteur, comme l'illustre le document 1 et le précise 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 10 octobre 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 the supporting documents related to this application visit the [link to Development Application Search Tool](#).

**Site location**

Parts of 2336 Tenth Line Road

**Owner**

Minto Communities Inc.

**Applicant**

Thomas Couper

**Description of site and surroundings**

The subject lands are located south of Brian Coburn Boulevard, along chemin de la Mer-Bleue Road in the Avalon Encore Community of Orléans. The lands are currently vacant and on Minto's Avalon Encore Stage 6's draft plan of subdivision plan (City File Nos. D07-16-17-0020 and D07-16-09-0018PH12 Stg 6).

The area surrounding Blocks 201 and 202 on the Draft 4M-Plan consists of existing residential to the north, a future local (Sculpin) street to the east, chemin de la Mer-Bleue Road to the west, and future Décoeur Drive to the south.

The area surrounding Blocks 215, 216, 218, 219, 226, 227 consists of a proposed park block (Block 232) to the north, and a future local street (Gardenpost Terrace) where each of the aforementioned blocks will front.

The area surrounding Block 233 and 236 consists of Décoeur Drive to the north, a park and future residential development along a window street to the east (part of Avalon Encore Stage 6); chemin de la Mer-Bleue Road to the west and existing residential to the south (Mattamy's Summerside West Phases 1 to 3).

### **Summary of requested Zoning By-law amendment proposal**

This proposed Zoning By-law amendment also seeks to rezone the lands known as: a) Blocks 201, 202, 4M-XXXX, from Development Reserve (DR) to Residential Third Density Zone, Subzone YY, Exception 2115 (R3YY[2115]) to permit townhouse dwellings; and, b) Blocks 233 and 236, 4M-XXXX, from DR to Residential Fifth Density Zone, Subzone Z, Exception XXXX, (R5Z[XXXX]) to permit stacked dwelling and apartment dwelling and low rise units.

The proposed Zoning By-law amendment application also seeks to remove the Flood Plain overlay in the Zoning By-law, on the lands known as Blocks 215, 216, 218, 219, 226, 227, 232, 233 and 236 on 4M-XXXX, and adjacent existing and future proposed roads (chemin de la Mer-Bleue Road (existing), Décoeur Drive (proposed), Gardenpost Terrace (proposed) and the road allowance between Lots 3 and 4 (not travelled - existing), as South Nation Conservation has removed this floodplain from its mapping.

### **Brief history of proposal**

The lands are currently zoned Development Reserve (DR), Parks & Open Space (O1) and Residential Third Density, Subzone YY, Exception 2115 (R3YY[2115]), in the Zoning By-law. This area is intended for mixed residential uses which form part of an approved Mer Bleue Community Design Plan (CDP) and draft Plan of Subdivision.

The Mer Bleue CDP was approved in May 2006 and the Plan of Subdivision was originally draft approved in January 2007. A revision and extension to the draft approval of the subdivision was granted in October 2014 and recently extended until October 2, 2020.

## **DISCUSSION**

### **Public consultation**

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

No comments were received.

### **Official Plan designations**

The site is designated General Urban Area in the Official Plan. This designation permits a full range and choice of housing types and densities to meet the needs of all ages, incomes and life circumstances, in combination with conveniently located employment, retail, service, cultural, leisure, green space and institutional uses. This will facilitate the development of complete and sustainable communities.

The predominant form of development and intensification will be semi-detached, townhouses, and other ground-oriented multiple unit housing units, compatible with the existing built form in this community.

### **Other applicable policies and guidelines**

The lands are subject to the Mer Bleue Community Design Plan (CDP), which was approved by Council in May 2006. The site is designated Mixed Density Residential. The Mixed Density Residential designation in the CDP aims to provide a variety of housing forms and types in order to attract a diverse and vibrant population. This area of the CDP will contain townhouses and apartment dwelling, low rise units.

A Special Study Area overlay also applies to the area located within the Regulated Area of the McKinnons Creek floodplain mapping, controlled under the Ontario Regulation 170/06 and administered by the South Nation Conservation Authority. The Regulated Area is shown as a Flood Plain overlay in the Zoning By-law. A process to amend this mapping to allow development in the Regulated Area has been completed. South Nation Conservation Authority has amended its mapping and provided the City with sign-off to remove the Flood Plain overlay in the City of Ottawa's Zoning By-law, for the affected parts, as shown on the attached location map in Document 1. These lands are also known as parts of Blocks and proposed rights of ways within the draft plan of subdivision and as parts on existing right of ways: a) Blocks 215, 216, 218, 219, 226, 227, 232, 233, 236, Gardenpost Terrace and Décoeur Drive; and, b) parts on chemin de la Mer-Bleue Road, adjacent to Block 233, 4M-XXXX, and parts on the Road Allowance between Lots 3 and 4 (not travelled).

### **Urban Design Review Panel**

These lands are not in a Design Priority Area.

### **Planning rationale**

The proposal is consistent with the policies of the General Urban Area designation in the Official Plan and the Mixed Density Residential designation in the Mer Bleue CDP,

in that it will provide a wide range of dwelling types and densities of housing, within proximity to schools and parks and to existing and future neighbourhood commercial development with the long term objective of becoming a sustainable community. South Nation Conservation Authority is satisfied with the removal of the Flood Plain overlay in the Zoning By-law for the specified parts within this draft-approved plan of subdivision as a permit under Section 28 of the *Conservation Authorities Act* has been issued and the works have been completed.

### **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 with this zoning application.

### **COMMENTS BY THE WARD COUNCILLOR**

Councillor Blais is aware of the application related to this report.

### **LEGAL IMPLICATIONS**

There are no legal impediments to approving the recommendations contained in the report.

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

### **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with the recommendations of this report.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

### **ACCESSIBILITY IMPACTS**

There are no accessibility impacts with this zoning amendment.



## **ENVIRONMENTAL IMPLICATIONS**

The portion of McKinnon's Creek which runs through the subject lands is presently subject to Section 28 of the *Conservation Authorities Act*, known as South Nation Conservation's Ontario Regulation 170/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses).

Ontario Regulation 170/06 ensures public safety and protection of property from natural hazards, and creates Regulated Areas where development may be subject to flooding, erosion, or where interference with wetlands and alterations to shorelines and watercourses has adverse effect on environmental features. The Regulation requires that the owner receive written approval from the South Nation Conservation Authority before straightening, diverting, and interfering in any way with the existing channel of McKinnon's Creek.

A review to fill in a portion of McKinnon's Creek has been completed. This has resulted in a change in the South Nation Conservation Authority's floodplain mapping and the removal of the Flood Plain overlay in Section 58 of the Zoning By-law, for a portion of McKinnon's Creek upstream of the pond outlet.

Development permits are to be prohibited until such a time as a permit under Section 28 of the *Conservation Authorities Act* has been issued and the work has been completed.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Healthy and Caring Communities.
- Economic Prosperity.

## **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 timing issues related to South Nation Conservation's removal of the floodplain in its mapping and whether the removal of the Flood Plain overlay in the Zoning By-law should proceed via this Zoning Amendment or another procedure.

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map / Zoning Key Plan

Document 2 Details of Recommended Zoning

## **CONCLUSION**

In conclusion, staff recommend that the subject lands be rezoned from Development Reserve to Residential Third Density Zone, Exception 2115 and Residential Fifth Density Zone, Subzone Z, Exception XXXX. These zones and the removal of the Flood Plain overlay will be in conformity with the Provincial Policy Statement, the City's Official Plan, Mer Bleue CDP, and South Nation Conservation's Ontario Regulation 170-06, and implements the draft approved Plan of Subdivision.

The department recommends that the application be approved.

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

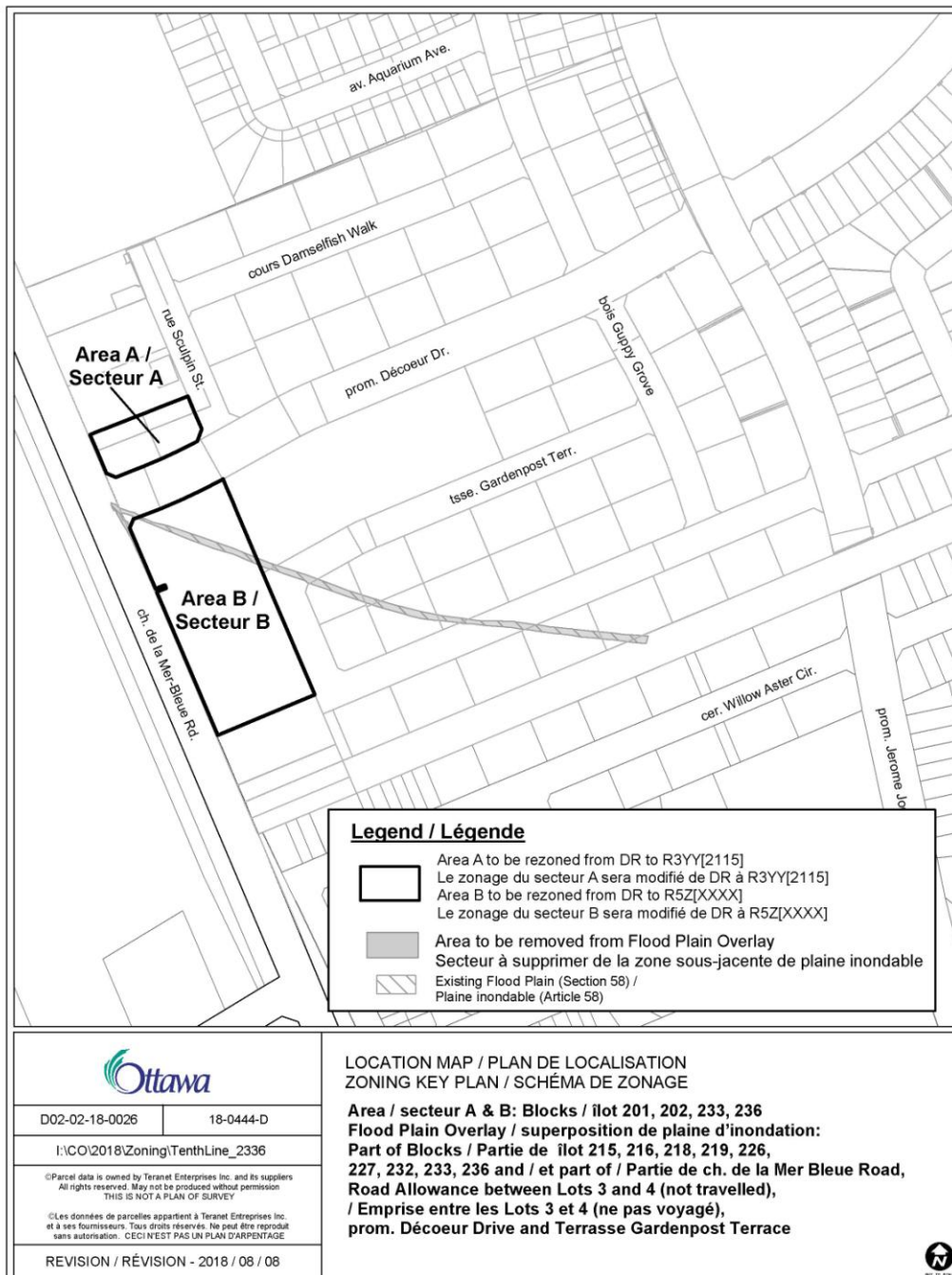
Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit [geoOttawa](http://geoOttawa)

The subject lands are located south of Brian Coburn Boulevard, along chemin de la Mer-Bleue Road in the Avalon Encore Community of Orléans.



## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for parts of 2336 Tenth Line Road:

1. Rezone the land shown in Document 1 as follows:
  - a. Area A – Development Reserve (DR) to Residential Third Density Zone, Subzone YY, Exception 2115 (R3YY[2115])
  - b. Area B – Development Reserve (DR) to R5Z[XXXX]
  - c. Remove the Flood Plain Overlay, as shown on Document 1
2. 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, “R5Z[XXXX]”
  - b. In Column V, add the text:

For apartment dwelling, low rise or stacked dwelling:

- i. Minimum front yard setback: 3.0 metres.
- ii. Minimum corner side yard setback: 3.0 metres.
- iii. Minimum interior side yard setback: 3.0 metres.
- iv. Minimum rear yard setback: 5.0 metres.
- v. Notwithstanding Table 110, the minimum required width of landscaped buffer abutting a street is 1.5 metres.
- vi. Notwithstanding Table 110, the minimum required width of landscaped buffer not abutting a street is 1.0 metres.
- vii. Minimum required parking for Apartment Dwelling, Low Rise or Stacked Dwelling: 1.1 space per dwelling unit.

- viii. Notwithstanding Section 109 (3) (a), a parking space, a parking lot, including hammerhead, may be located: (i) in a required and provided front yard; (ii) in a required and provided corner side yard; and/or (iii) in the extension of a required and provided corner side yard into a rear yard.
- ix. Notwithstanding Table 55 – Provisions for accessory uses, building or structures, the maximum cumulative floor area is 90 m<sup>2</sup>.
- x. Notwithstanding Table 65 – covered or uncovered balcony, porch, deck, platform and verandah with a maximum of two enclosed sides, excluding those covered by canopies and awnings may project to 1 metre from a lot line