

Report to/Rapport au :

**Planning Committee
Comité de l'urbanisme**

and Council / et au Conseil

**March 19, 2013
19 mars 2013**

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

Contact Person / Personne ressource: *Felice Petti Manager/Gestionnaire,
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Cumberland (19)

Ref N°: ACS2012-PAI-PGM-0046

SUBJECT: ZONING – 2107 MER BLEUE ROAD

OBJET : ZONAGE – 2107, CHEMIN MER BLEUE

REPORT RECOMMENDATION

That Planning Committee recommend Council approve an amendment to the Zoning By-law 2008-250 to change the zoning of 2107 Mer Bleue Road from General Industrial, Subzone 7 (IG7 H(21)) to Arterial Mainstreet (AM[1607] H(21)-h), as shown in Document 1.

RECOMMANDATION DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 afin de changer le zonage du 2107, chemin Mer Bleue de Zone d'industrie générale, sous-zone 7 (IG7 H(21)) à Zone d'artère principale (AM[1607] H(21)-h), comme il est indiqué dans le document 1.

BACKGROUND

The subject site is situated within the Orléans Industrial Park and fronts along the east side of Mer Bleue Road approximately 450 metres south of Innes Road. This relatively small rectangular parcel of 0.23 hectares in area was until recently occupied by a single detached residential dwelling; the dwelling was demolished and the site now sits vacant. The subject site is surrounded by an 18-hectare vacant future commercial property to the north and east, while to the south along Mer Bleue Road is a row of five single detached residential properties and a commercial driving range operation. Immediately opposite the site to the west is the Innes Shopping Centre that features such retailers as Future Shop, Home Outfitters, Canadian Tire and Walmart among others. Document 1 identifies the subject site.

In 2011, the subject parcel was merged on title with the adjacent 4.04-hectare parcel, which itself was severed from the larger vacant commercial landholding to the north and east.

Purpose of Zoning Amendment

The merged parcels, approximately 4.27 hectares in combined area, are currently under one application with the City for site plan control approval of the development of three automobile dealerships that are intended to become contiguous with the future development of the larger adjacent commercial site. Document 2 illustrates the concept plan of the proposed automobile dealership development. While the majority of the merged development site is zoned Arterial Mainstreet to allow for a wide range of commercial uses including an automobile dealership use as of right, the General Industrial zone that is currently in effect over the subject site prohibits the use. Therefore, the purpose of the requested amendment is to change the zoning of the subject site to that which is presently in effect over the adjoining parcel, so that the entire development site is consistent in zoning in every respect.

Existing Zoning

The current zoning in effect over the subject site is General Industrial Subzone 7 [IG7 H(21)]. This zone permits a wide range of low to moderate impact, light industrial uses in accordance with the Employment Area designation of the Official Plan. While this zone permits with restrictions a limited range of complementary service commercial uses to support employment uses in the industrial park, it prohibits retail uses and most automobile related uses. A building height limitation of 21 metres applies to the site.

Proposed Zoning

The application proposes to zone the subject property Arterial Mainstreet, Exception [AM[1607] H(21)-h]. This zone permits the requested automobile dealership use subject to the performance standards typical of such zone category and the exception provisions specific to the surrounding commercial property. The exception provisions are detailed in the Discussion below.

DISCUSSION

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides direction on matters of Provincial interest related to land-use planning and development. It speaks in part to Ontario's long-term prosperity, environmental health and social well-being being dependent upon wisely managing change and promoting the efficient use of land that supports strong, liveable and healthy communities, protects the environment and public health and safety, and facilitates economic growth.

The proposed zoning would allow for development that is consistent with the PPS in that it provides for a mix of uses that allows for the efficient use of underdeveloped land within an already built up area of the city.

Official Plan

The subject site is designated in the Official Plan as Employment Area, which is assigned to those lands throughout the city where concentrations of at least 2,000 jobs at a range of densities can be provided in an effort to achieve a balance of housing and jobs, especially in communities outside the Greenbelt. The uses permitted in this designation include a variety of industrial and employment-generating uses, such as warehousing, manufacturing, office, institutional, and research and development. Commercial uses are prohibited from Employment Areas, except for convenience commercial uses occupying small sites and intended to serve employees of the area and the passing general public.

It is also relevant to note that the Official Plan designates Innes Road as an Arterial Mainstreet. This designation applies to the lands abutting those existing and planned arterial roads that offer some of the most significant opportunities in the city for intensification and that have the potential to evolve over time into more compact, mixed-use, pedestrian-oriented and transit-friendly places. Accordingly, the uses generally permitted on the abutting lands include a broad range of retail and service commercial uses, offices, residential and institutional uses. The policies require that any development fronting onto an arterial mainstreet respect the established objectives and principles of good community design set out in Section 2.5.1, including any applicable Council-approved design guidelines, as well as the compatibility policies of Section 4.11. The Arterial Mainstreet designation is intended to be flexible depending on the particular site circumstances and lot configuration, but generally extends the depth of the lots that have frontage on the designated arterial mainstreet. It may also include properties on abutting side streets that exist within the same corridor.

Prior to the recent severance of the combined 4.27-hectare development site from the surrounding large commercial parcel, the severed (excluding the subject 0.23-hectare parcel) and remnant parcels were one contiguous property, all of which, including its frontage along Mer Bleue Road and extending to a lot depth of approximately 470 metres south of Innes Road, was subject to the Arterial Mainstreet policies. While the

severed lot no longer has frontage along a designated arterial mainstreet in the Official Plan (Innes Road), it is staff's opinion that it nonetheless continues to be subject to such policies. This policy interpretation extends to include the subject 0.23-hectare parcel now that it is merged with the abutting parcel. It remains the intent that the original 18-hectare future commercial development site, including the subject site, will be built and function as one contiguous development.

Staff evaluated the proposed zoning amendment in terms of the compatibility of the requested uses with the surrounding existing and future uses. The lands within the Orléans Industrial Park, specifically along the Innes Road and Mer Bleue Road corridors, have experienced considerable commercial growth in recent years, and with the designated Mixed Use Centre situated farther south along Mer Bleue Road, more development is imminent. The few remaining residential single detached dwellings clustered along Mer Bleue Road are vestiges of the area's rural past and are now for the most part non-conforming uses within the surrounding Employment Area. The extension of the AM uses over the subject site will have minimal impact on the continued use and enjoyment of the surrounding uses.

Details of Proposed Zoning

The zoning requested to be applied to the subject site is Arterial Mainstreet, Exception [AM[1607] H(21)-h], as shown in Document 1. This zone not only permits the requested automobile dealership use as of right, but also brings into effect the broad range of retail, service commercial, office, residential and institutional uses currently permitted in the AM zone. In addition, the performance standards typical of such zone would apply, as would the exception and holding zone provisions of Exception [1607] that are specific to both the abutting large commercial property and the parcel that was merged with the subject parcel. The provisions specific to Exception [1607] appear in Document 3 for information purposes.

The provisions of Exception [1607] comprise several performance standards designed to achieve an appropriate built form. They also set a maximum gross leasable floor area of 40,000 square metres and regulate the phasing of development on the site through the application of an initial 23,255-square metre cap on gross floor area to ensure that at least 1 858 square metres of office space either in the form of one or more freestanding buildings or floor space above ground-oriented retail is developed before the site is completely built out. The final phase of development, to a maximum of 50,000 square metres of gross floor area, would only be permitted once a minimum of 7,432 square metres of office and industrial uses are provided throughout the subject AM zone and certain abutting employment lands outside of the AM zone.

The holding provisions (-h) applicable to the proposed zone also pertain to the above described phasing of development. No site development is to occur until such time as the required sanitary sewer within Vanguard Drive and extending to the Tenth Line Road pump station is put into service. With sanitary service installed, site development may proceed to a maximum of 23,255 square metres. For maximum build out to occur

on the site, the approval of a transportation impact study addressing the impact of the increased trip generation on the surrounding road network is required.

The effect of the proposed AM[1607] H(20)-h on the subject site is that the proposed automobile dealership development would not be permitted to commence until the necessary sanitary sewer connection is put into service. Such sewer related works are currently underway in fulfilment of a condition of the recent severance of the subject and abutting merged parcels. Upon completion of the sewer works, the proposed automobile dealership development will not be further restricted by the above holding provisions, as the total combined gross floor area of the development is only 5,800 square metres.

Conclusion

Staff are satisfied that the proposed retail and service commercial uses, offices, residential and institutional uses, including the proposed automobile dealership use, are compatible with the surrounding existing and future commercial and employment uses, and that they conform to the relevant policies of the Official Plan and are consistent with the Provincial Policy Statement.

The Department recommends that the proposed Zoning By-law amendment be approved.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

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 comments or objections were received.

COMMENTS BY THE WARD COUNCILLOR

The Ward Councillor is aware of this report.

LEGAL IMPLICATIONS

There are no legal implications associated with this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report. Nonetheless, an associated site plan control application has been filed to address the development of the subject and abutting sites. Through this application the Planning and Growth Management Department will ensure that considerations to reduce, remove and prevent barriers to persons with specific mobility needs are implemented through good site design.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

TECHNOLOGY IMPLICATIONS

Information Technology approved this report without comment.

TERM OF COUNCIL PRIORITIES

This application advances the Economic Prosperity strategic priority for the current term of Council (2011-2014) through Strategic Objective EP3, which is to support growth of the local economy, by promoting local industry.

APPLICATION PROCESS TIMELINE STATUS

The application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments.

SUPPORTING DOCUMENTATION

Document 1 Location and Zoning Map
Document 2 Site Development Concept Plan
Document 3 Zone Provisions Specific to Exception [1607]

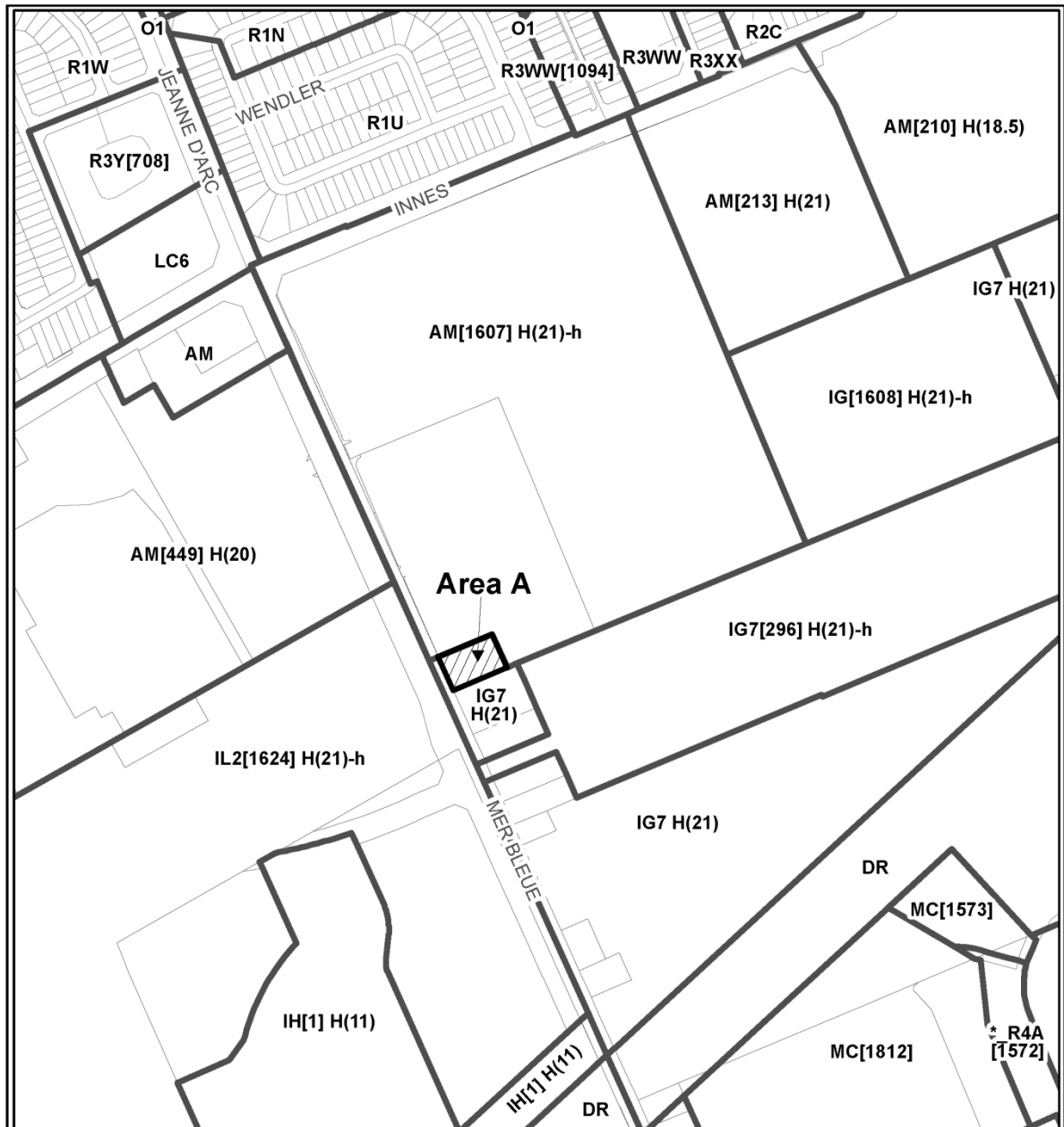
DISPOSITION




City Clerk's Branch, Council and Committee Services, to notify the owner, McGaic Realty, 1599 Startop Road, Ottawa, ON K1B 5P5; the applicant, Mr. Tony Sroka, CIMA Canada Inc., 240 Catherine Street, Suite 110, Ottawa, ON K2P 2G8; OttawaScene.com, 174 Colonnade Road, Unit 33, Ottawa, ON K2E 7J5; Ghislain

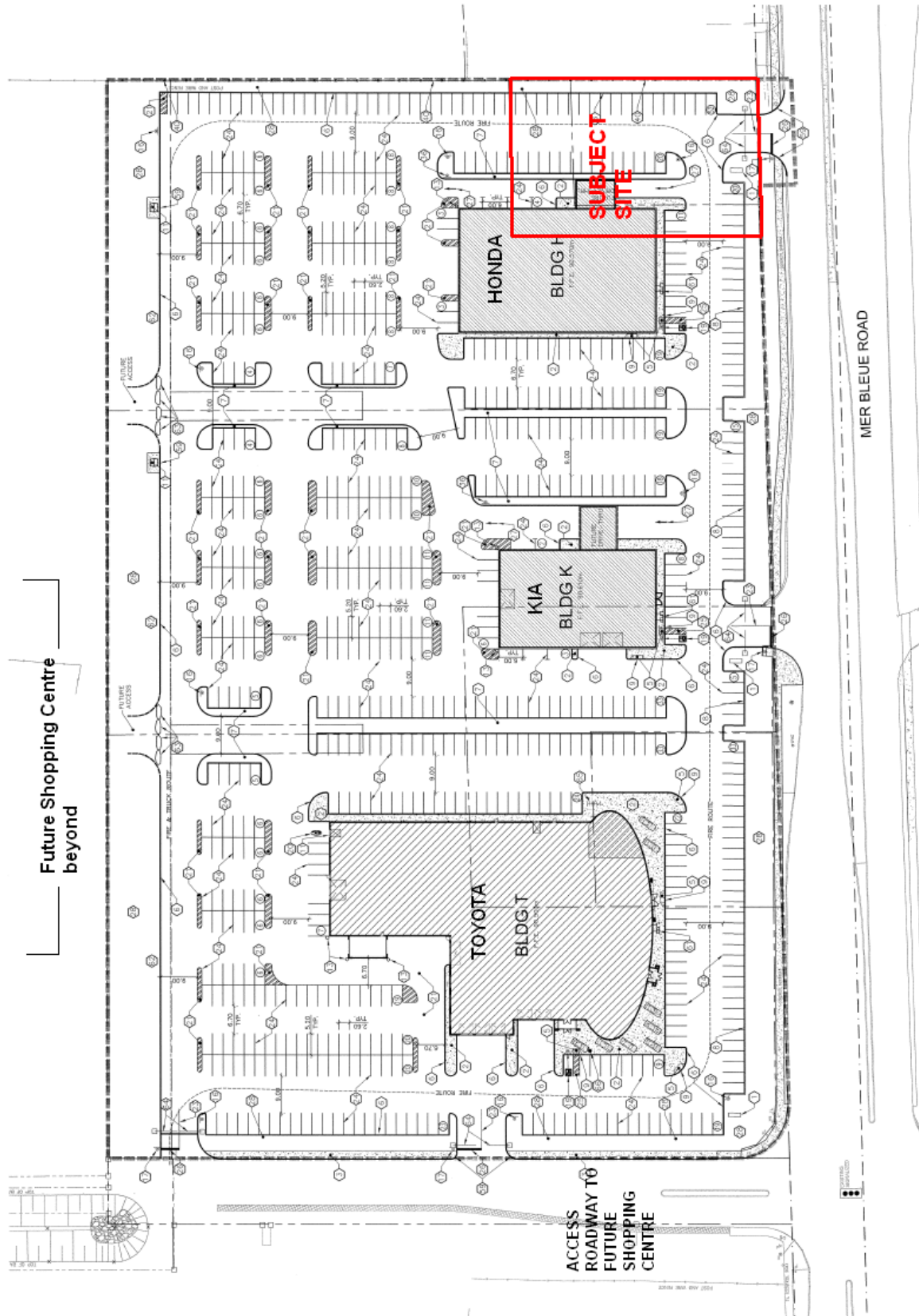
Lamarche, Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76), of City Council's decision.

Planning and Growth Management Department to prepare the implementing By-law, forward to Corporate Development and Environmental Law Branch and undertake the statutory notification.

Corporate Development and Environmental Law Branch to forward the implementing By-law to City Council.



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|--|---|--------------------------------------|--|--|--|---|
|  <p>Produced by Planning and Infrastructure Portfolio Produit par le Portefeuille urbanisme et infrastructure</p> |  <p>Location Map / Plan de révision Zoning Key Plan / Schéma de zonage 2107 chemin Mer Bleue Road</p> | <p>Échelle N.T.S. Mètres</p> | | | | |
| <table border="1"> <tr> <td>D02-02-12-0132</td> <td>13-0349-X</td> </tr> <tr> <td colspan="2">I:\CO\2013\ZONING\MERBLEUE_2107_REZONE</td> </tr> </table> | D02-02-12-0132 | 13-0349-X | I:\CO\2013\ZONING\MERBLEUE_2107_REZONE | | <p>Area A to be rezoned from IG7 H(21) to AM[1607] H(21)-h</p> |  |
| D02-02-12-0132 | 13-0349-X | | | | | |
| I:\CO\2013\ZONING\MERBLEUE_2107_REZONE | | | | | | |
| <p>2013 / 03 / 14</p> <p>REVISION DATE DE RÉVISION</p> | <p>145630006 Denotes Teranet-Polaris Parcel Identification Number</p> | <p>Scale N.T.S. Mètres</p> | | | | |



ZONE PROVISIONS SPECIFIC TO EXCEPTION [1607]

DOCUMENT 3

The following is an excerpt of By-law 2008-250 provided for information purposes only. The exception and holding provisions listed below are specific to the existing AM[1607] H(21)-h zone that is to be applied to the subject site.

EXCEPTION [1607]:**Exception Provisions**

- maximum gross leasable floor area (glfa): 40 000 m²
- gross leasable floor area cannot exceed 23 255 m² until such time as a minimum of 1 858 m² of glfa of office use is provided in the zone
- office uses required as part of a development in the zone must occupy a separate office building or buildings, or the floor or floors immediately above the ground floor of a commercial mixed-use building
- the maximum gross leasable floor area for the zone may be increased to 50 000 m² when:
 - (a) the gross leasable floor area of office use in the zone, and
 - (b) the gross leasable floor area of office and industrial uses in the abutting IG[1608] H(21)-h zone,
 together are equal to or greater than 7 432 m²
- minimum parking required for a shopping centre: 3.4 spaces per 100 m²
- minimum width of driveway or aisle: 6.5 m
- garden centre or similar seasonal facility not permitted in a yard abutting a public street
- a driveway providing access to a parking lot in the AM[1607] H(21)-h zone may pass through other zones
- all land zoned AM[1607] H(21)-h is considered one lot for the purposes of determining zone provisions despite the lawful division of a lot pursuant to the Planning Act, the Condominium Act or any other similar legislation
- the following conditions must be satisfied prior to removal of the holding -h symbol:
 - (a) a connection to the sanitary sewer within the Vanguard Drive public road allowance is provided;
 - (b) the sanitary sewers within Vanguard Drive and Tenth Line Road south of Vanguard Drive are constructed to the Tenth Line Road sanitary pumping station and are put into service; and
 - (c) when the first two conditions of holding are satisfied, development in the AM[1607] H(21)-h zone or adjacent IG[1608] H(21)-h zone may proceed provided the combined total gross floor area in both zones does not exceed 23 225m². However, prior to any further development in excess of the combined total gross floor area of 23 225 m² in either zone, the following condition of holding must be satisfied, at which time the holding -h symbol may be removed:
 - (i) The City must approve a Transportation Impact Study the recommendations of

which are to be implemented as a condition of development. Such study must address the increased trip generation and its effect on the surrounding road network during the year that any additional development in either zone is proposed and five years following the build-out of development in both zones.