

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
28 May 2020 / 28 mai 2020**

**and Council
et au Conseil
10 June 2020 / 10 juin 2020**

**Submitted on 15 May 2020
Soumis le 15 mai 2020**

Submitted by

Soumis par:

Douglas James

Acting Director / Directeur par intérim

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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des demandes d'aménagement ouest**

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**Ward: KANATA NORTH (4) / KANATA
NORD (4)**

File Number: ACS2020-PIE-PS-0051

SUBJECT: Zoning By-law Amendment – 335 Sandhill Road

OBJET: Modification du *Règlement de zonage* – 335, chemin Sandhill

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 335 Sandhill Road to permit a planned unit development consisting of 40 townhouse dwellings and 30 back-to-back townhouse dwellings on private streets, 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 Office of the City Clerk and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* ‘Explanation Requirements’ at the City Council Meeting of June 10, 2020” 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 du *Règlement de zonage 2008-250* visant le 335, chemin Sandhill afin d’autoriser, dans des rues privées, l’aménagement d’un complexe immobilier comprenant 40 habitations en rangée et 30 habitations en rangée construites dos à dos, comme 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 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 de la *Loi sur l’aménagement du territoire*, à la réunion du Conseil municipal prévue le 10 juin 2020», 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

335 Sandhill Road

Owner

Minto Communities Inc.

Applicant

Kevin A. Harper, Minto Communities

Description of site and surroundings

The subject lands are located on the west side of Sandhill Road between Klondike Road to the north and Shirley's Brook Drive to the south. The property is approximately 1.42 hectares in size with approximately 30 metres of frontage along Sandhill Road. The subject site is currently vacant and undeveloped, with sparse vegetation at the rear of the site and a temporary gravel parking lot along Sandhill Road.

To the east of the subject property is Juanita Snelgrove Park and South March Public School. St. John's Kanata Anglican Church and Cemetery abuts the subject property to the south. Further east and north are low density residential neighbourhoods. To the west of the site is the Shirley's Brook creek corridor and 762 March Road, which has received site plan approval for 60 stacked dwelling units in five buildings.

The lands are subject to a concurrent plan of subdivision application. The subdivision plan received Draft Approval on December 18, 2019 and the proponent intends to register the plan of subdivision later this year. A concurrent plan of condominium application was also submitted for the site; the plan of condominium will not proceed until the draft plan of subdivision and zoning has been approved.

Summary of proposed development

The applicant is proposing to develop a planned unit development (PUD) consisting of 40 townhouse dwellings on eight residential blocks and 30 back-to-back townhouse dwellings on two residential blocks. Each townhouse block is to contain four to six townhouse units. Each back-to-back townhouse block is to contain 14 to 16 townhouse units. A block of five townhouse dwellings has been sited along Sandhill Road and designed with the primary entrances facing the public street. The remaining units and blocks are oriented to the private streets. One point of access is proposed from Sandhill Road with an internal six-metre wide private street network serving the PUD. Each proposed townhouse and back-to-back townhouse dwelling has an associated attached garage and private driveway.

Summary of requested Zoning By-law Amendment

The subject lands are currently zoned Residential Fourth Density, Subzone Z, Exception 1905, Schedule 277 (R4Z [1905] S277). The R4 Zone is intended to allow a wide mix of residential building forms from detached to low rise apartments, in areas designated as General Urban Area in the Official Plan. Urban Exception 1905 sets out alternative lot width, parking-related requirements and outlines that no buildings or structures are permitted on the lands shown as Area A on Schedule 277.

The requested zoning by-law amendment application is to rezone to the site from R4Z [1905] S277 to R4Z [XXXX], with the following performance standards changes:

- permit a reduced rear yard setback of five metres instead of the currently required six metres; and
- remove of the 7.5 metre heritage buffer shown as Area A on Schedule 277.

Only one block of townhouse units (TH-4 on the attached concept plan) also require relief from the rear yard setback for townhouses and associated requirement for interior side yards for a PUD.

Brief history of proposal

A site plan control application for the property was submitted in 2011 (Development Application Number: D07-12-11-0164) and a site plan agreement was registered. The development was never built and securities for the site plan agreement were released in 2015. The proposed development from 2011 included the subject site, the Shirley's Brook creek corridor and 762 March Road. A Zoning By-law amendment application was also submitted in support of the 2011 proposal (Development Application Number: D02-02-11-0073). The Zoning By-law amendment rezoned the property from Development Reserve to the present zoning. The original property has since been severed into two parcels, 335 Sandhill Road and 762 March Road, and the Shirley's Brook Creek Corridor was conveyed to the City. The property at 762 March Road received site plan approval for 60 stacked dwelling units in five buildings in 2019. This site is currently under construction.

The present proposal was initially submitted as a development with 60 townhouse dwelling units on 14 residential blocks. A reduction in the rear yard setback for the blocks abutting the Shirley's Brook creek corridor was also requested. After discussions with City staff, several changes were made to the concept plan, resulting in the current proposal.

DISCUSSION

Public consultation

Public consultation was carried out in accordance with the City's Public Notification and Consultation Policy for Zoning By-law Amendment applications. A statutory public meeting was held in the community for the associated plan of subdivision on April 4, 2019 and attended by approximately 20 residents. Fourteen comments were received through the public notification and consultation process. Consultation details are found in Document 4.

For this proposal's consultation details, see Document 4 of this report.

Official Plan designations

The Official Plan designates the subject property as General Urban Area, which permits the development of a full range of housing types to meet the needs of all ages, incomes and life circumstances in combination with conveniently located employment, retail, service, leisure and institutional uses. The proposed Zoning By-law amendment is consistent with the goals, objectives and policies of the General Urban Area designation.

Policy 3.6.1.5 of the Official Plan supports intensification where it will complement the existing pattern and scale of development and planned function of the area. The proposed Zoning By-law amendment permits intensification and will compliment the existing community. Furthermore, policy 3.6.1.5(b) states that intensification should achieve a balance of housing types and tenures to provide a full range of housing for a variety of demographic profiles throughout the General Urban Area.

This development proposes 40 townhouse dwellings and 30 back-to-back townhouse dwellings on the periphery of a neighbourhood that is primarily developed with single family dwellings. This will provide another form of housing opportunity for Kanata North. The proposed Zoning By-law amendment complies with the urban design and development guidelines of the Official Plan.

The proposed Zoning By-law Amendment also conforms to the relevant policies of Section 4.11 in the Official Plan addressing compatibility. Such considerations as traffic, adequate parking, building design, massing and scale of the proposed dwellings, landscaping, and outdoor amenity area have all been satisfactorily addressed through the plan of subdivision to ensure the intent of the policies are met. The proposal satisfies all relevant policies of the Official Plan.

Heritage

The abutting property to the south is the location of St. John's Kanata Anglican Church. The church is an individually designated property under Part IV of the Ontario Heritage Act. The historical and architectural significance of the church are listed as reason for designation. Although the entire property is considered designated, the City of Kanata's original designation by-law indicates that only to the exterior of St. John's Church is intended to be protected. No mention of the associated cemetery was included in the designation by-law.

Planning rationale

The proposed Zoning By-law amendment responds to the policies for the General Urban Area by allowing for infill on the edge of an established neighbourhood with appropriate infrastructure and servicing. The site is located along the periphery of a developed neighbourhood and has full access to urban services such as sewers and watermains. The studies submitted in support of the application confirm that there are adequate municipal services in terms of water, sanitary sewer and stormwater facilities.

The General Urban Area designation supports ground-oriented housing forms such as townhomes as an appropriate housing form for infill development in established low-rise residential communities. The Official Plan provides guidance on how to appropriately incorporate infill development into existing built-up areas. The proposed development is designed to both complement and be compatible with the existing Shirley's Brook neighbourhood, which is predominantly comprised of detached dwellings and some townhouses. The proposed R4Z [XXXX] Zone permits a form of development that is compatible with the surrounding area.

New developments are to respect the privacy of outdoor amenity areas on adjacent lots. The subject site does not abut any residential properties, thereby, the proposal respects all rear and side yard relationships. The development complies with the side yard setback requirements of the Zoning By-law. The concept plan submitted in support of the rezoning application indicate that the development will provide the required minimum rear yard setback of six metres for a majority of the residential blocks. The R4 zone establishes a rear yard setback of six-metres for townhouses, which the applicant initially sought to reduce to three-metres.

Through discussion with City staff, the requested setback was increased to five-metres to better respect the surrounding context. Two blocks of townhouse dwellings require relief to permit a rear yard of five metres; these townhouses back onto the adjacent church property. The applicant is proposing to retain the existing cedar hedge and to introduce new privacy fencing from the end of the hedge to the Shirley's Brook creek corridor in order to minimize impacts of the proposed development on the visitors to the church and cemetery.

The Zoning By-law amendment also seeks to remove the 7.5 metre heritage buffer shown as Area A on Schedule 277. The Zoning By-law amendment which created Schedule 277 was a response to the original higher density 160-unit proposal. In the previous proposal, four and a half-storey townhome were proposed to be located adjacent to the church property. Comments provided by the church at that time indicated that "the plan that would be more acceptable to change both blocks to two

storey townhomes” in order to “provide more privacy for grieving families and for visitations to the cemetery”.

The current proposal responds to the church’s concerns by situating the taller back-to-back townhouses towards the interior of the property while the blocks that abut the church property have all been changed to two-storey townhouses. The planning rationale submitted in support of the Zoning By-law amendment examined the impact of the development on the neighbouring heritage property through the policies of Section 4.6.1 of the Official Plan and concluded that the development was of a compatible scale and design. Staff have determined that the proposed Zoning By-law amendment maintains the general intent of the heritage buffer by reducing the scale and impact of the townhouse blocks and that the proposal poses minimal impacts to the adjacent designated heritage resource.

The applicant filled out the Transportation Impact Assessment (TIA) screening form; based on the minimal number of units proposed, this development did not necessitate a Transportation Impact Study as per the City’s guidelines. There is no significant impact on traffic as a result of this development, and no road modifications would be required. Any existing congestion is unrelated to the development application and will not be exacerbated by the proposal. The configuration and alignment of the proposed site access is considered to be safe and appropriate. The private road network as proposed meets the standards for private roads. The proposed development complies with the parking and visitor parking requirements of the Zoning By-law.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement of 2014 and 2020.

RURAL IMPLICATIONS

There are no rural implications associated with this report. The lands are within the General Urban Area.

COMMENTS BY THE WARD COUNCILLOR

Councillor Jenna Sudds is aware and supportive of the staff recommendations.

LEGAL IMPLICATIONS

There are no legal impediments to implementing the recommendations of this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with the report.

ASSET MANAGEMENT IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

Design considerations with respect to accessibility are generally addressed through the draft plan of subdivision review process and are not a key consideration related to a Zoning By-law amendment.

ENVIRONMENTAL IMPLICATIONS

An Environmental Impact Statement and Tree Conservation Report was submitted in support of the application to address the natural environment, which included terrestrial habitat and tree removal, as well as watercourses. Following the completion of Blanding's Turtle surveys, it was determined that the subject site contained both Category 2 and Category 3 habitat for Blanding's Turtle. A 30-metre vegetated setback from the normal high-water mark of Shirley's Brook is provided to avoid all Category 2 habitat, which includes the watercourse itself and the surrounding 30 metres of terrestrial habitat. This setback will protect the existing riparian habitat surrounding Shirley's Brook, including the majority of mature trees on the site. The proposed development is situated on identified Category 3 Blanding's Turtle habitat; however, it was found to have little functional value due to the developed nature of lands surrounding the site. The EIS concludes that the loss of non-functional Category 3 habitat is not considered significant, and any potential impacts will be mitigated by the installation of a new Blanding's Turtle exclusion system along the outer edges of the Shirley's Brook setbacks, which are both conditions of draft approval.

A Meander Belt Width Assessment was also submitted in support of the application, at the request of the Mississippi Valley Conservation Authority, to address concerns surrounding the impacts of the proposed development. A total erosion hazard limit of 35 metres was recommended, however, through discussion with the MVCA, a 30-metre setback was deemed sufficient.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Thriving Communities
- Economic Growth & Diversification

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-19-0008) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications. The application was on hold while issues associated with the corresponding plan of subdivision were resolved, and the plan of subdivision was draft approved.

SUPPORTING DOCUMENTATION

Document 1 – Location Map

Document 2 – Details of Recommended Zoning

Document 3 – Schedule 277 - Revised

Document 4 – Consultation Details

Document 5 – Concept Plan

CONCLUSION

The proposed development conforms to the Official Plan and balances the need for intensification and infill. In consideration of the applicable Official Plan policies and compatibility of the use in the area, the Zoning By-law amendment is recommended for approval.

DISPOSITION

Legislative Services, Office of the City Clerk to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

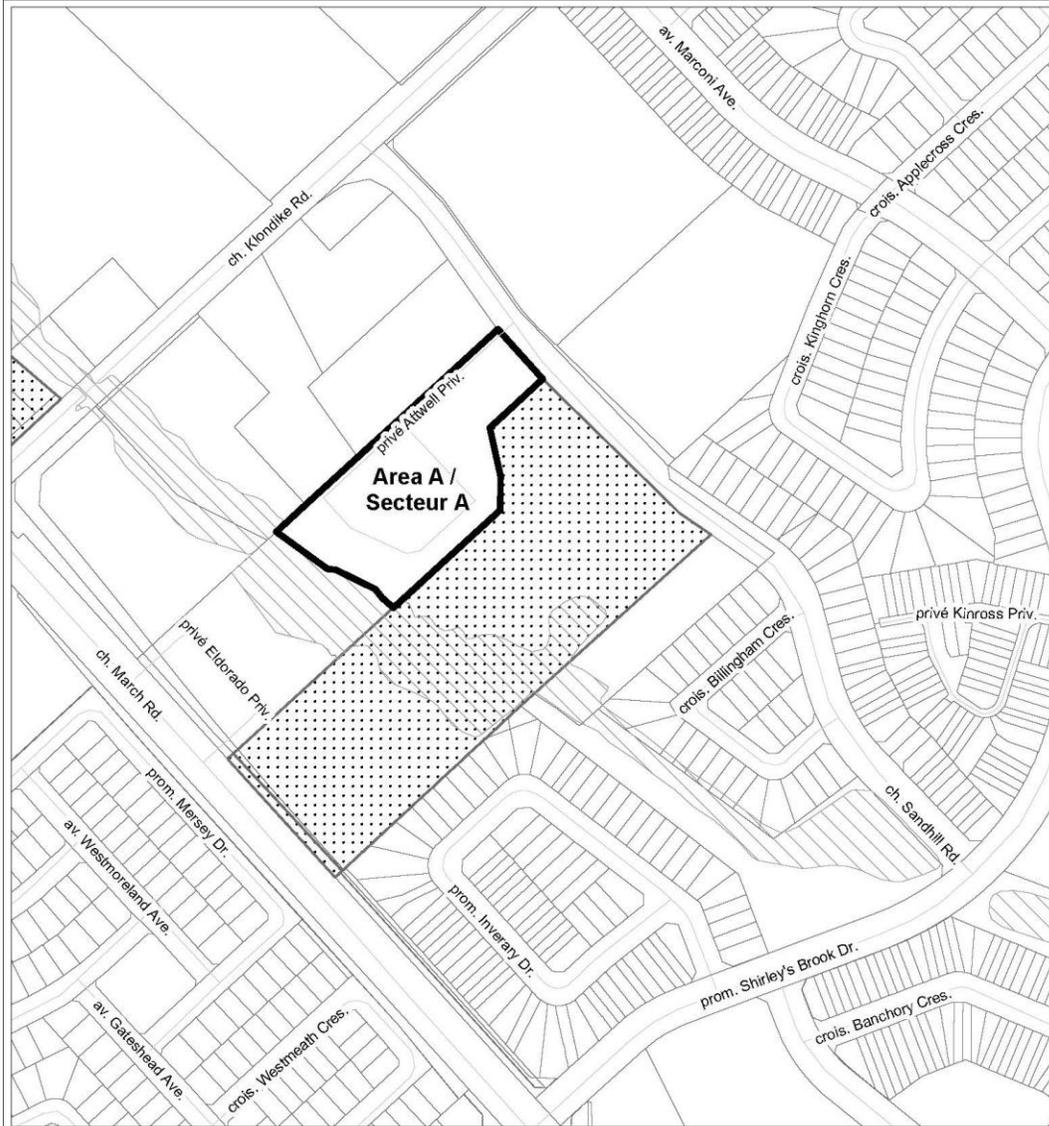
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

Legal Services, Innovative Client Services Department to forward the implementing by-law to City Council.

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

Document 1 – Location Map and Zoning Key Plan

For an interactive Zoning map of Ottawa visit geoOttawa



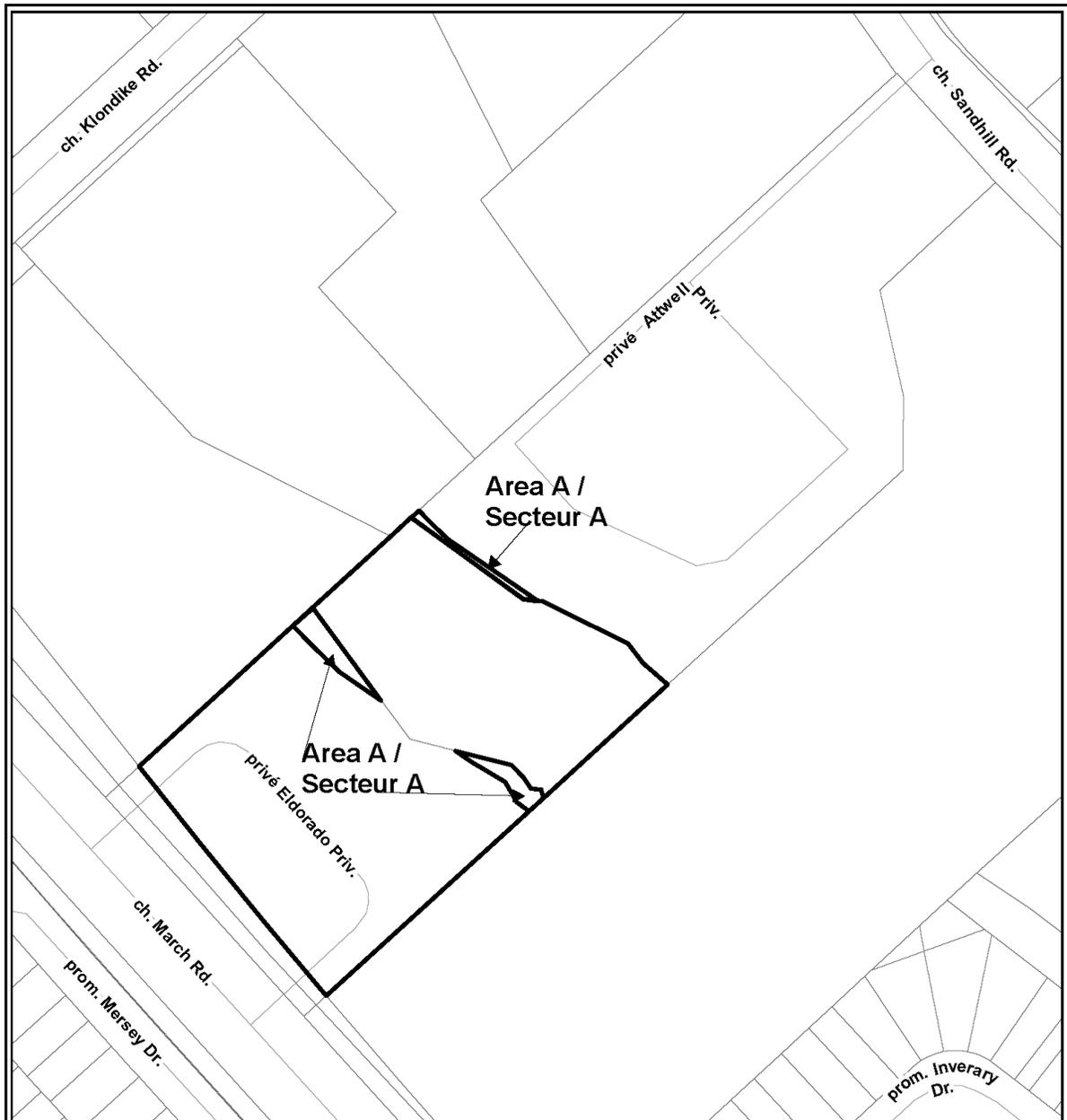
		
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REVISION / RÉVISION - 2020 / 04 / 22		
LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE PLAN OF SUBDIVISION / PLAN DE LOTISSEMENT CONDOMINIUM PLAN / PLAN DE COPROPTIÉTÉ 335 ch. Sandhill Road		
	Area A to be rezoned from R4Z[1905]S277 to R4Z[XXXX] Le zonage du secteur A sera modifié de R4Z[1905]S277 à R4Z[XXXX]	
	Heritage (Section 60) Patrimoine (Article 60)	
	Existing Flood Plain (Section 58) / Plaine inondable (Article 58)	
		

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 335 Sandhill Road:

1. Rezone the lands shown in Document 1 from R4Z [1905] S277 to R4Z [XXXX]
2. Amend Section 239, by adding a new exception [xxxx] as follows:
 - a) In Column II, add R4Z [XXXX] as an applicable zone.
 - b) In Column V, add provisions similar in effect to the following:
 - i. Despite Table 162B, Endnote 1(b), the minimum required rear yard and interior side yard setback for a Planned Unit Development is 5 metres beyond the first 18 metres from the public street.
3. Amend Section 239, Urban Exception 1905 as follows:
 - a) In Column V, remove the following provision:
 - i. All of Area A on Schedule 277 must be landscaped with soft landscaping and no buildings and structures are permitted.
 - b) In Column V, replace all references to Area B with Area A.
4. Replace Schedule 277 with the revised Schedule 277 attached hereto as Document 3.

Document 3 – Schedule 277 – Revised



D02-02-19-0008

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**This is Schedule 277 to Zoning By-law No. 2008-250
Annexe 277 au Règlement de zonage n° 2008-250**

This is Attachment X to By-law Number 2020-XXX, passed Month XX, 2020
Pièce jointe n° X du Règlement municipal n° 2020-XXX, adopté le XX mois, 2020



Document 4 – Consultation Details

Notification and Consultation Process:

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

A statutory public meeting for the associated plan of subdivision was held in the community on April 4, 2019 at the Richcraft Complex.

The following summarizes, in no particular order, a list of comment topics/items raised by various members of the public in response to the application.

Fencing

Comments Summary:

- Privacy fencing has been requested on both the northern and southern property lines bordering the Kanata Muslim Association and St. John's Anglican Church and Cemetery

Response:

Conditions of draft approval included conditions requiring privacy fencing along both property lines.

Environmental

Comments Summary:

- This development will result in increased seasonal flooding, due to the loss of flood plain and increase hardscaping.
- The Meander Belt Assessment prepared in support of the application recommended a meander belt that is significantly less than the initial recommendation by the MVCA.
- This is Blanding's Turtle habitat. This disruption of the local watershed, and increased backflow/flooding will put their habitat at risk.

Response:

The City has extensively reviewed the stormwater management documents submitted as part of the application and are satisfied with its findings, as is the MVCA regarding the Meander Belt Assessment. Both the City and the MVCA have reviewed the Environmental Impact Statement prepared in support of the application and are satisfied with the proposed mitigation measures to limit negative impacts on the Blanding's Turtle as a result of the proposed development.

Heritage Overlay

Comments Summary:

- The heritage overlay needs to be retained as the issues raised at the time of the first application have not changed since views of people in the cemetery, grieving at burial sites can still be viewed from second floor windows. It must be retained.

Response:

The current application and/or concurrent zoning application will have no impact on the heritage overlay status of the St. John's Kanata Anglican Church. The heritage buffer was put in place at a time when greater densities were proposed on the site. Since that time, the applicant has significantly reduced the number and type of proposed units, which will have less of an impact on the cemetery.

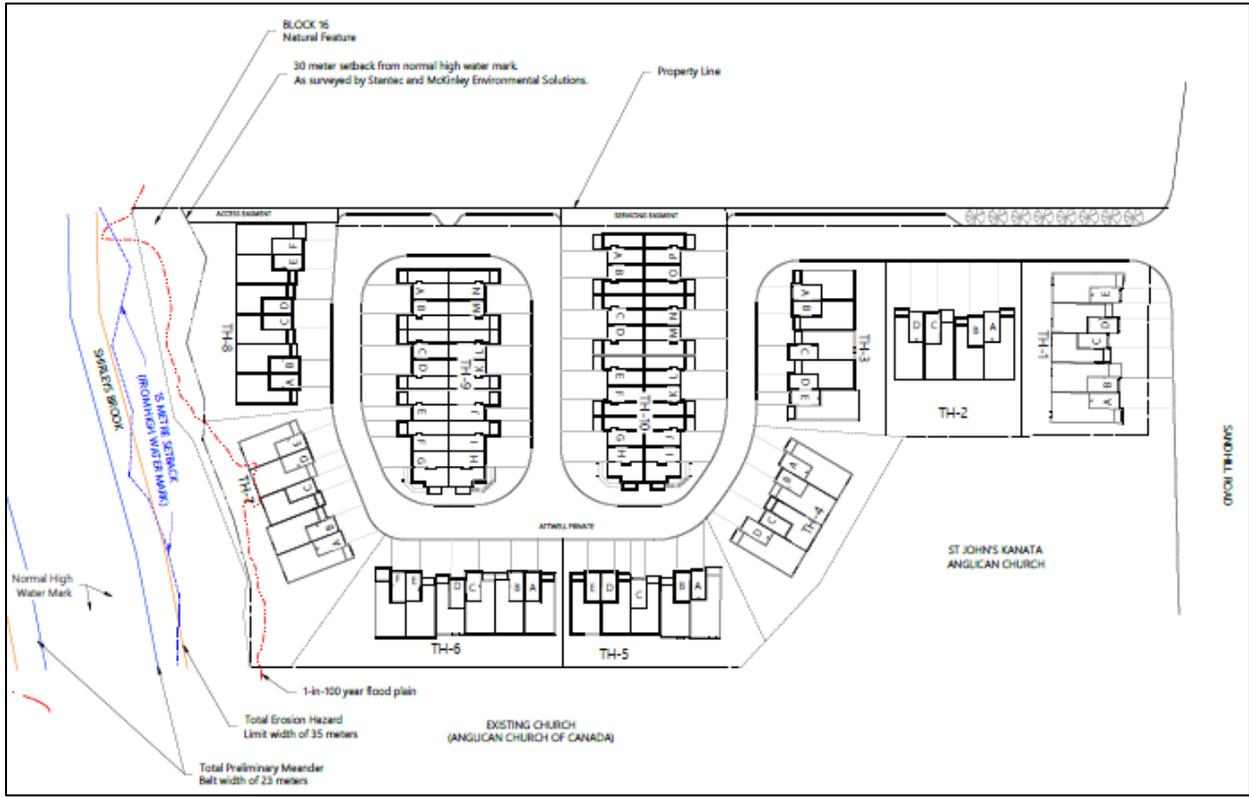
Parking:

Comments Summary:

- Visitor parking is unclear. Parking requirement is 1.1 per unit but the rationale given states 1 per unit and use of the access road for parking. Since town houses rarely have space left for parking only the north side of the access road could be used that way. Designated visitor parking needs to be shown.

Response:

No additional visitor parking is being provided in the development. Each townhouse unit has a private garage, as well as a driveway to provide additional parking, which meets the parking requirements of the Zoning By-law.



Document 5 – Concept Plan