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## MORGAN'S CREEK RESIDENTIAL DEVELOPMENT AT 762 MARCH ROAD OTTAWA, ON

PLANNING RATIONALE &  
INTEGRATED ENVIRONMENTAL REVIEW  
IN SUPPORT OF APPLICATIONS  
SITE PLAN CONTROL AND MINOR VARIANCE

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762 MARCH ROAD  
OTTAWA, ON**

**PLANNING RATIONALE &  
INTEGRATED ENVIRONMENTAL REVIEW  
IN SUPPORT OF APPLICATIONS  
SITE PLAN CONTROL AND MINOR VARIANCE**

Prepared For:

Minto Communities Inc.

Prepared By:

**NOVATECH**

Suite 200, 240 Michael Cowpland Drive  
Ottawa, Ontario  
K2M 1P6

December 20, 2018  
Novatech File: 118186  
Ref: R-2018-156



December 20, 2018

Ms. Laurel McCreight  
Planning, Infrastructure and Economic Development Department  
City of Ottawa, Planning Services Branch  
110 Laurier Ave. West, 4<sup>th</sup> Floor  
Ottawa, Ontario, K1P 1J1

**Attention: Mrs. McCreight, Planner II**

Dear Ms. McCreight:

**Reference: Morgan's Creek Residential Development  
Site Plan Control and Minor Variance  
Planning Rationale and Integrated Environmental Review  
762 March Road  
Our File No.: 118186**

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Novatech has been retained by Minto Communities Inc. (Minto) to prepare this revised Planning Rationale and Integrated Environmental Review in support of applications for *Site Plan Control* and *Minor Variance* for its property municipally known as 762 March Road, Ward 4 – Kanata North, Ottawa, Ontario. The previously approved development for the property site included one hundred-sixty (160) residential units: one hundred fifty-six (156) stacked townhouse units and four (4) street townhouse units.

Presently, Minto Communities Inc. is proposing to develop a total of sixty (60) residential units which will comprise of five (5) "Infusion Terrace Homes" (stacked dwelling) buildings as part of a planned unit development fronting March Road. A total of seventy-eight (78) surface parking spaces are proposed with access and egress from two entrances off March Road. A *Minor Variance* application will be submitted in support of this application to amend the interior side yard setback south of the site property. Although some of the technical reports speak to the development of both eastern and western land parcels, a separate application will be submitted for the planned unit development on the eastern parcel at 335 Sandhill Road.

A pre-application consultation was held at City Hall with City staff on August 22, 2018. This Planning Rationale includes responses to the comments from City staff received from you in an email dated August 29, 2018.

Yours truly,

**NOVATECH**



Robert Tran, M.PL.  
Planner, Planning & Development

## TABLE OF CONTENTS

<b>1.0</b>	<b>INTRODUCTION AND PROPOSAL DETAILS .....</b>	<b>1</b>
1.1	Site Description and Surrounding Uses.....	1
1.2	Proposed Development .....	2
1.3	Pre-application Comments and Response .....	3
<b>2.0</b>	<b>PLANNING CONTEXT AND RATIONALE .....</b>	<b>5</b>
2.1	Provincial Policy Statement.....	6
2.2	City of Ottawa Official Plan [OPA #150] .....	8
2.3	Zoning By-Law 2008-250 .....	13
2.4	Proposed Minor Variance.....	14
2.4.1	<i>Minor in Nature</i> .....	15
2.4.2	<i>Appropriate and Desirable Development</i> .....	16
2.4.3	<i>Zoning By-Law 2008-250</i> .....	16
2.4.4	<i>City of Ottawa Official Plan</i> .....	17
<b>3.0</b>	<b>INTEGRATED ENVIRONMENTAL REVIEW .....</b>	<b>17</b>
<b>4.0</b>	<b>CONCLUSION .....</b>	<b>21</b>

## 1.0 INTRODUCTION AND PROPOSAL DETAILS

Novatech has been retained by Minto Communities Inc. (Minto) to prepare this revised Planning Rationale in support of applications for *Site Plan Control* and *Minor Variance* for its property municipally known as 762 March Road, Ward 4 – Kanata North, Ottawa, Ontario. The property will herein be referred to as the ‘Subject Site’.

The Planning Rationale includes an Integrated Environmental Review (IER) as required under Section 4.7 of the City of Ottawa’s *Official Plan*. The purpose of an IER is to demonstrate how supporting studies influence the design of the development with respect to effects on the environment and compliance with the appropriate policies of Section 4 of the *Official Plan*.

This Planning Rationale will demonstrate that the proposed development will be consistent with the *Provincial Policy Statement (PPS)*, conforms to the *City of Ottawa’s Official Plan*, generally complies with the provisions of the *Zoning By-Law 2008-250* and respects the applicable urban design guidelines found in the *Official Plan*.

### 1.1 Site Description and Surrounding Uses

The Subject Site has a total area of 0.76 ha and is bound by March Road to the west and the Shirley’s Brook creek corridor to the east as shown on **Figure 1**. The legal description of the Subject Site is:

PART OF LOT 10, CONCESSION 4, MARCH, BEING PART 1 ON PLAN 4R-26601.  
SUBJECT TO AN EASEMENT IN GROSS AS IN OC1471755 SUBJECT TO AN  
EASEMENT AS IN OC1471757, PIN 045171989



Figure 1: Subject Site and surrounding uses.

The Subject Site is currently undeveloped and vacant. The following describes the land uses adjacent to the Subject Site as shown in **Figure 1**:

**North:** An undeveloped and partially treed land as well as the Brookside Baptist Church abut the Subject Site to the north.

**East:** The Shirley's Brook creek corridor, owned by the City of Ottawa, abuts the Subject Site to the east. A planned unit development scheduled for a future date on an eastern parcel fronting Sandhill Road owned by Minto.

**South:** The Blue Heron Co-Op Homes which is a medium-density residential development abuts the southwestern portion of the Subject Site.

**West:** A low-density residential development and commercial retail plaza are situated west of the Subject Site.

## 1.2 Proposed Development

The previous site plan application for the property File #D07-12-11-164, included the proposal to construct one hundred-sixty (160) residential units. The parcel fronting Sandhill Road consisted of one hundred (100) stacked townhouses in seven (7) buildings and four (4) street townhouse units. The parcel fronting March Road consisted of fifty-six (56) townhouses in four (4) buildings. However, since the previously purposed development, the site property has been divided into two separate parcels municipally known as 762 March Road and 335 Sandhill Road. Further provisions were introduced such as a development setback to protect the environmental and natural heritage features of the Shirley's Brook creek corridor including the Blanding's Turtle species.

Presently, the proposed development will include a total of sixty (60) residential units which will comprise of five (5) "Infusion Terrace Homes" (stacked dwelling) buildings on the western parcel as shown on **Figure 2**. The proposed development will feature a 187 m<sup>2</sup> communal amenity space area and a 732 m<sup>2</sup> total amenity area provided in the form of individual private residential balconies. The Shirley's Brook creek corridor which is owned by the City of Ottawa, will remain as an undeveloped open space to ensure the long-term protection of the natural environmental feature and habitats of species. The area of the Shirley's Brook creek corridor is 0.51 ha.

A larger version of the following Site Plan is provided in **Appendix A** of this report.





Figure 2: Excerpt from the proposed development fronting March Road.

A total of thirty (30) bicycle parking spaces will be provided for the proposed development which satisfies the bicycle parking requirements and promotes an active and sustainable mode of transportation. A total of seventy-eight (78) surface parking spaces will be provided for residents and visitors of the stacked units which satisfies the vehicle parking zoning requirement. The stacked dwellings will be accessed and egressed through two private entrances off March Road.

### 1.3 Pre-application Comments and Response

This Rationale also provides responses to City staff comments following the pre-application consultation meeting held on August 22, 2018. The comments received from the City's technical agencies and responses to those comments are summarized in the following section below. Additional information regarding the required technical studies can be found in Section 3.0 of this report.

#### General

1. *Site plan application previously approved and the agreement registered in January 2013*
  - *Original proposal approved 156 units in 12 buildings*
  - *Development put on hold in April 2013 due to a product review*
2. *Current proposal introduces a unit increase of 20 (total of 176 units) in 12 buildings.*
  - *Back-to-back stacked townhouses*
  - *Site plan for the entire property, but development will be phased with the units on March Road end to be developed first*

A revision to the concept plan since the pre-consultation meeting with City staff now includes a total of sixty (60) residential units on the western parcel fronting March Road. A separate application will be submitted for the proposed townhouse development as part of a planned unit development on the eastern parcel at 335 Sandhill Road.

3. *Application can be treated as revision application, subject to public consultation.*

Noted.

### **Planning/Urban Design**

4. *Upgraded elevations will be required on March and Sandhill.*

Noted. Upgraded elevations will be provided for March Road in support of the site plan application.

5. *How will the amenity areas between the units along the creek be treated?*

A revision to the concept plan has been developed for the Subject Site since the pre-application consultation and now has the amenity area located between the stacked dwelling units and Shirley's Brook. The amenity area will respect the 30 m setback from the normal high-water mark of the Shirley's Brook creek corridor as well as the Meander Belt and Blanding Turtle habitat.

6. *Perhaps the amenity area for the units along Sandhill could be considered as a stonedust pathway through the heritage buffer.*

A separate application will be submitted for the proposed townhouse development as part of a planned unit development on the eastern parcel at 335 Sandhill Road.

### **Environmental**

7. *A Blanding's Turtle has been found in Shirley's Brook since the previous approval*
- *Within a 2 km radius the riparian lands become a significant habitat*
  - *Significant habitat is 30 metre with a 55 metre meander belt*
  - *You can apply for a permit from MNR for a reduced width*

An Environmental Impact Statement (EIS) was prepared by McKinley Environmental Solutions dated November 2018. The Shirley's Brook creek corridor was identified as a Category 2 habitat for Blanding's Turtle through previous studies but a proposed 30 m vegetated setback from the normal high-water mark of Shirley's Brook (on both sides) will avoid all areas of the Category 2 habitat. The development area falls within the definition of a Category 3 habitat for Blanding's Turtle, which is designated primarily to provide a potential corridor for Blanding's Turtle movement. However, the Category 3 habitat found within the Study Area has little functional habitat value, due to the fact that all surrounding areas are developed.

The Meander Belt Study was completed by Matrix Solutions Inc. – Environment and Engineering dated November 9, 2018. The study concluded that a preliminary meander belt width of 23 m is recommended with an additional 6 m final erosion hazard limit on each side of the preliminary meander belt width for a total erosion hazard limit of 35 m. The details of the Environmental Impact Statement (EIS) and Meander Belt Study are discussed further below in the report.

8. *An environmental consultant will be required to address the species at risk.*

An Environmental Impact Statement (EIS) was prepared by McKinley Environmental Solutions dated November 2018 to address the potential Species at Risk on the Subject Site. The report concludes that precautionary measures such as development setbacks will ensure that the Blanding's Turtle species will be protected and remain undisturbed from the proposed development. The report also concludes that no other significant Species at Risk (SAR) issues were noted for the Study Area.

9. *A tree removal permit is required for any trees to be removed greater than 10 cm in diameter.*

Noted.

10. *The environmental impact statement and tree conservation report can be combined.*

Noted. The EIS and TCR are discussed in greater detail below.

11. *Please contact Matthew Hayley <<mailto:matthew.hayley@ottawa.ca>> for any environmental related questions*

Noted.

## **MVCA**

12. *Updated regulation mapping was completed in November 2017.*

Noted.

13. *A meander belt hazard of 87 meters was introduced.*
- *An erosion hazard study/meander belt width study can be completed to determine that actual width of meander belt to be required*
  - *Can also work with adjacent landowners*

A meander belt width study was completed by Matrix Solutions Inc. Environment and Engineering dated November 9, 2018. The study concluded that a preliminary meander belt width of 23.0 m is recommended with an additional 6.0 m final erosion hazard limit on each side of the preliminary meander belt width for a total erosion hazard limit of 35 m.

14. *Please contact Niall Oddie <<mailto:NOddie@mvc.on.ca>> at MVCA for any questions.*

Noted.

## **2.0 PLANNING CONTEXT AND RATIONALE**

The following section of the report will provide background on the current policy context of the Subject Site and then demonstrate how the proposed development is consistent with the *Provincial Policy Statement*, conforms to the *City of Ottawa's Official Plan*, respects the applicable urban design guidelines and generally complies with the *Zoning By-Law 2008-250*.

## 2.1 Provincial Policy Statement

The 2014 *Provincial Policy Statement* (PPS) provides policy directions on land use planning and development matters of provincial interest, as set out in Section 2 of the *Planning Act*. All decisions affecting planning matters are required to “be consistent with” policies of the PPS.

### ***Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns***

*Section 1.1 of the PPS speaks to managing and directing land use to achieve efficient and resilient development and land use land patterns.*

*Policy 1.1.1 of the PPS notes that healthy, liveable and safe communities are sustained by promoting efficient land use patterns with a range and mix of uses arranged so to minimize land consumption and servicing costs. Further, development patterns should avoid environmental or public health and safety concerns, conserve bio-diversity, and consider the impacts of a changing climate.*

- The proposed development will feature a site plan layout that incorporates stacked dwelling buildings at a medium-density which efficiently utilizes land resources and municipal services. As previously mentioned, the proposed development will respect the Shirley’s Brook creek corridor and Blanding Turtle species through a development setback to ensure the long-term protection of these natural environmental features. The proposed development will be served by various local and community amenities and services that are located within short walking distance.

### **Settlement Areas**

Policy 1.1.3.1 states, “*Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*”

- The proposed residential development is located on lands designated by the City of Ottawa’s *Official Plan* as settlement area (*General Urban Area*).

Policy 1.1.3.4 states, “*Appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety.*”

- The proposed development consists of medium-density stacked dwelling units. The proposed development will be supported by various community amenities that are located within a short walking distance including neighbourhood parks, schools, places of worship, and commercial retail services as shown in **Figure 1**.

Policy 1.1.3.6 states, “*New development taking place in designated growth areas should occur adjacent to the exiting built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*

- The proposed development is in the City of Ottawa’s *General Urban Area* and adjacent to existing built-up lands comprising of low to medium-densities. The proposed development

will consist of compact built forms through stacked dwelling units which is compatible with the existing development character of the surrounding community.

## **Housing**

Policy 1.4.3 states, *“Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market by:*

- a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate-income households. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality may identify a higher target(s) which shall represent the minimum target(s) for these lower tier-municipalities;*
  - b) permitting and facilitating:*
    - i. all forms of housing required to meet the social, health, and well-being requirements of current and future residents, including special needs requirements; and*
    - ii. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;*
  - c) directing the development of new housing towards locations where appropriate levels of infrastructure and public services facilities are or will be available to support current and projected needs;*
  - d) promoting densities for new housing which efficiently use land, resources, infrastructure and public services facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and*
  - e) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*
- The proposed development is situated in the growing community of South March which consists of similar residential densities and housing types. The proposed development is therefore a compatible built form for the community. Once both sites of the property are fully built, the proposed development will provide housing options to cater to the needs various individuals. The proposed development will not cause any negative public health or safety implications.

## **Public Spaces, Recreation, Parks, Trails, and Open Space**

Section 1.5.1 of the PPS speaks to promoting healthy and active communities through

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;*
  - b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;*
- The proposed development will feature a barrier-free and accessible communal amenity area which will serve the long term needs of residents while fostering social interaction

among residents. As previously mentioned, residents will have access to cycling paths and networks on March Road, Klondike Road, and Sandhill Road. These cycling networks provide connections to various publicly-accessible recreational public spaces and neighbourhood parks such as Brookshire Park and Juanita Snelgrove Park.

### **Natural Heritage**

Section 2.1 of the PPS speaks to Ontario's long-term prosperity, environmental health, and social well-being by means of biodiversity conservation, protection of natural water bodies, heritage, agriculture, mineral and cultural heritage and archaeological resources for their economic, environmental, and social benefits.

Policy 2.1.1 states, *"Natural features and areas shall be protected for the long term"*.

Policy 2.1.2 states, *"The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored, or where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features."*

- The proposed development will not result in any negative implications for the Shirley's Brook creek corridor and the Blanding's Turtle species habitat as discussed further in the Environmental Impact Statement (EIS) prepared by McKinley Environmental Solutions and the Meander Belt Width Study completed by Matrix Solutions. Precautionary measures such as development setbacks from the Shirley's Brook creek corridor will ensure that the natural environmental features and habitats of all species will be respected and protected for the long term.

### **Protecting Public Health and Safety**

Section 3.0 of the PPS speaks to ensuring the province's long-term prosperity, environmental health, and social well-being by reducing the potential for public cost or risk to residents from natural or human-made hazards.

- The proposed development which consists of sixty (60) stacked dwelling units will not cause any public health or safety concern with respects to natural or human-made hazards. The updated Phase I ESA completed by Paterson Group dated August 28, 2018 notes that no records or concerns were identified with respects to: former underground storage tanks, spills, and incidents; potentially contaminating activities (PCAs); areas of potential environmental concern (APECs); and contaminants of potential concern (CPCs).

## **2.2 City of Ottawa Official Plan [OPA #150]**

The Subject Site is designated as General Urban Area under the *City of Ottawa's Official Plan Schedule B* as shown on **Figure 3**. Section 3.6.1 of the Official Plan states that the General Urban Area *"permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances, in combination with conveniently located employment, retail, service, cultural, leisure, entertainment and institutional uses."* Applicable policies under Section 3.6.1 are listed below:

- 1) *General Urban Area areas are designated on Schedule B. The General Urban Area designation permits many types and densities of housing, as well as employment, retail uses, service, industrial, cultural, leisure, greenspace, entertainment, and institutional uses.*
  - The proposed development to construct stacked dwelling units are permitted and is compatible with the existing development character of the surrounding community. The proposed development is well served by several community amenities such as neighbourhood parks, schools, places of worship, and commercial retail services within short walking distance. Once both sites of the property are fully built, the proposed development will provide various housing options to cater to the needs of those from various socio-economic backgrounds.



**Figure 3: Excerpt from the City of Ottawa Official Plan Schedule B.**

- 2) *The evaluation of development applications, studies, other plans and public works undertaken by the City in the General Urban Area will be in accordance with Section 2.5.1 and Section 4.11."*
  - This section will be discussed further in the report.
- 3) *Building height in the General Urban Area will continue to be predominantly Low-Rise. Within this range, changes in building form, height and density will be evaluated based upon compatibility with the existing context and the planned function of the area. Secondary plans or zoning that currently permit building heights greater than four Storeys will remain in effect.*
  - The maximum building height for the proposed development is 11.4 m which falls within the permitted maximum building height of 15.0 m for R4 – Residential Fourth Density Zone. The building height is compatible with the existing built development within the surrounding community.

Section 2.5.1 speaks to the Urban Design and Compatibility which is concerned with how buildings, landscapes, and public spaces function together. Design elements should work together to complement and enhance the unique aspects of a community's history, landscape,

and its culture. Encouraging good urban design and quality as well as innovative architecture will help stimulate the creation of lively community places with unique and distinct character while attracting people and investment to the City. Compatible development speaks to enhancing the features of an established community and coexisting with existing development without causing undue adverse impacts on surrounding properties. Section 4.11 which also speaks Urban Design and Compatibility will be reviewed in conjunction with Section 2.5.1.

The following is a review of the design objectives and summary of how the proposed development is consistent with these objectives:

- 1) *To enhance the sense of community by creating and maintaining places with their own distinct identity.*
  - The proposed development will create its own distinct identity in the community by incorporating high quality architectural and urban design standards while respecting the existing community character of residential and commercial development.
- 2) *To define quality public and private spaces through development.*
  - The private amenity areas of the proposed stacked dwelling units have been oriented away from March Road and the adjacent residential development to maintain the privacy and any concerns arising from potential noise.
- 3) *To create places that are safe, accessible and easy to get to, and move through.*
  - Pedestrian pathways and sidewalks will be designed to be accessible, and easy to navigate throughout the proposed development while avoiding interactions with vehicular traffic. Pathways and sidewalks will connect with the sidewalk on March Road to allow for the ease of movement to and from local community amenities such as commercial, retail, and recreational spaces.
- 4) *To ensure that new development respects the character of existing areas.*
  - The proposal to construct stacked dwelling units will respect the existing character of the surrounding area which already consists of low to medium-density residential development. The proposed stacked dwelling buildings will be in similar height to the medium density residential development to the south of the Subject Site.
- 5) *To consider adaptability and diversity by creating places that can adapt and evolve easily over time and that are characterized by variety and choice.*
  - The proposed development is not expected to evolve in the future without significantly altering the existing urban fabric and community character or considering the natural environmental features on the Subject Site.
- 6) *To understand and respect natural processes and features in development design.*
  - The proposed development will not negatively impact or affect the natural and environmental features surrounding the area of development. The area's natural and environmental



features include the Shirley's Brook creek corridor and the Blanding's Turtle species which will be protected through measures such as a development setback.

- 7) *To maximize energy-efficiency and promote sustainable design to reduce the resource consumption, energy use, and carbon footprint of the built environment.*
  - The buildings for the proposed stacked dwelling development will feature a compact built form at a medium density which efficiently utilizes land resources for the community.

Section 4.11 of the *Official Plan* also speaks to Urban Design and Compatibility and works in conjunction with the policies found in Section 2.5.1 as previously reviewed. The policies within this section focus on urban design and compatibility at a more localized scale for neighbourhoods and individual properties.

- 1) *When evaluating compatibility of development applications, the City will have regard for the policies of the site's land use designation, and all applicable Community Design Plans, Secondary Plans...*
  - The Subject Site is not subject to any *Community Design Plans* or *Secondary Plans* in the City of Ottawa but will incorporate high quality architecture, urban design, and landscaping features that is compatible and respects the design of existing development in the area.
- 2) *In addition to those matters set out in Policy 1, above, the City will evaluate the compatibility of development applications on the basis of the following compatibility criteria. The measures of compatibility will vary depending on the use proposed and the planning context. Hence in any given situation individual criteria may not apply and/or may be evaluated and weighed on the basis of site circumstances.*
  - a) *Traffic.*
    - March Road is identified as an Arterial Road in the *City of Ottawa's Official Plan Schedule E – Urban Road Network* and will adequately serve and accommodate the traffic generated from the proposed development as discussed further below in the Traffic Impact Assessment (TIA) by CGH Transportation Inc.
  - b) *Vehicular Access.*
    - The vehicular accesses and egresses for the stacked dwelling units will not generate excessive noise or loss of privacy for adjacent developments. The considerable distance between the Subject Site and the residential subdivision immediately opposite on March Road will not result in any excessive headlight glare. Any potential headlight glare from vehicles egressing onto March Road will be mitigated by existing landscaped features such as fencing, trees, and hedges from the residential subdivision.
  - c) *Parking Requirements.*
    - The proposed development will provide adequate on-site parking as required to avoid any potential for spillover parking on adjacent areas. The parking spaces required for the stacking dwellings are seventy-eight (78), whereas seventy-eight (78) parking

spaces are provided. No additional parking spaces are provided above the required to encourage sustainable and active modes of transportation such as walking, cycling, and use of public transit.

d) *Outdoor Amenity Areas.*

- The orientation of the stacked dwelling units will respect the privacy of outdoor amenity areas of adjacent residential units. Adequate measures such as fencing, landscaping and vegetation, as well as overall building locations will be oriented to respect the privacy of sensitive land uses.

e) *Loading Areas, Service Areas, and Outdoor Storage.*

- The location of outdoor storage areas for the proposed development have been strategically located to respect adjacent residential development. The design of the waste collection/storage area and use of EarthBin receptacles will ensure that the visibility of waste is hidden, and any emitted odours are contained.

f) *Lighting.*

- The proposed development will not generate a spillover or glare from any lighting sources onto adjacent light-sensitive areas and will meet the City standards of 0.5 foot-candles at the property line.

g) *Noise and Air Quality.*

- The proposed development will not generate adverse effects on adjacent sensitive uses related to noise, odours, and other emissions. A Noise Study was completed by J.L. Richards dated December 19, 2018 with the results of the study discussed further below in Section 3.0 of this report.

h) *Sunlight.*

- The maximum building height of the stacked dwelling units will be 11.4 m, which is similar in height to adjacent residential development south of the Subject Site. The proposed development will not obstruct any sunlight or cause undue shadowing on adjacent developments.

i) *Microclimate.*

- The proposed development has been designed to minimize adverse effects related to wind, snow drifting, and temperature on adjacent properties.

j) *Supporting Neighbourhood Services.*

- The proposed development is well served by several local community amenities such as neighbourhood parks, places of worship, schools, and commercial retail services that are located within short walking distance.

## 2.3 Zoning By-Law 2008-250

The two undeveloped land parcels of the Subject Site are currently zoned under the *City of Ottawa's Zoning By-Law* as R4Z [1905] S277 as shown on **Figure 4** and **Table 1**. The purpose of the R4 – Residential Fourth Density Zone is to:

1. Allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings, in some cases limited to four units, and in no case more than four storeys, in areas designated as General Urban Area in the Official Plan;
2. Allow a number of other residential uses to provide additional housing choices within the fourth density residential areas;
3. Permit ancillary uses to the principal residential use to allow residents to work at home;
4. Regulate development in a manner that is compatible with existing land use patterns so that the mixed building form, residential character of a neighbourhood is maintained or enhanced: and
5. Permit different development standards, identified in the Z subzone, primarily for areas designated as Developing Communities, which promote efficient land use and compact form while showcasing newer design approaches.

The current proposal to construct a planned unit development featuring stacked dwelling units are permitted land uses under the *City of Ottawa's Zoning By-Law 2008-250*. The proposed development is compatible with existing land use patterns in the community and will provide additional housing variety through various built forms from low to medium densities once both sites are fully developed. The maximum building height for the proposed development is 11.4 m which falls within the permitted maximum building height of 15.0 m for R4 – Residential Fourth Density Zone. The proposed development will respect the existing built form of the surrounding development in the community without altering the urban fabric or community character.



Figure 4: Existing zoning for the Subject Site and surrounding areas.

I Exception Number	II Applicable Zones	Exception Provisions		
		III Additional Land Uses Permitted	IV Land Uses Prohibited	V Provisions
1905 (By-law 2016-249) (By-law 2012-40)	R4Z[1905] S277			-Notwithstanding Table 101, the minimum required number of parking spaces for a stacked dwelling is 1.1 per dwelling unit. -minimum lot width for a planned unit development: 12.5 m -minimum lot width for a stacked dwelling: 12.5 m -Notwithstanding Table 110 Row (b), the minimum required width of a landscape buffer not abutting a street for: (i) a parking lot containing between 10 and 100 parking spaces is 1.0 metres; and, (ii) a parking lot containing more than 100 parking spaces is 1.5 metres. -All of Area A on Schedule 277 must be landscaped with soft landscaping and no buildings and structures are permitted. -No buildings are permitted within Area B on Schedule 277

**Table 1: Zoning by-law provisions for the Subject Site.**

The site-specific zoning is derived from the rezoning of the Subject Site in 2012 from Development Reserve Zone [DR] to Residential Fourth Density Subzone Z urban exception zone [R4Z(1905) S277] as part of the previous zoning amendment which was adopted by Council on February 22, 2012. The rezoning exercise was completed to allow for the construction of a planned unit development for both western and eastern parcels which featured a higher residential unit count and density. The site-specific zoning provisions were created to permit the proposed development as well as ensure the Shirley's Brook creek corridor was maintained as an open space and protected from any future development. The site-specific zoning includes provisions and an attached schedule – *Schedule 277* which prohibits development in certain areas on the Subject Site. A *Minor Variance* application will be submitted in support of the proposed development and is discussed in greater detail in the next section of this report.

## 2.4 Proposed Minor Variance

The proposed development generally complies with the zoning by-law provisions for permitted land uses in a R4 – Residential Fourth Density Zone including general building setbacks with exception to the interior side yard setback south on the Subject Site. As previously mentioned, a *Minor Variance* application will be submitted in support of the proposed stacked dwelling unit development. The application will request relief for the interior side yard setback adjacent to the existing residential development (Blue Heron Co-Op Homes) south of the Subject Site.

The following table is an excerpt from the zoning by-law provisions for R4 – Residential Fourth Density Zone (Sec. 161-162) Sub-Zone Z:

I Sub-Zone	II Prohibited Uses	III Principal Dwelling Types	IV Minimum Lot Width (m)	V Minimum Lot Area (m <sup>2</sup> )	VI Maximum Building Height (m)	VII Minimum Front Yard Setback (m)	VIII Minimum Corner Side Yard Setback (m)	IX Minimum Rear Yard Setback (m)	X Minimum Interior Side Yard Setback (m)	XI End- notes (see Table 162B)
Z	None	Planned unit development	18	1,400	as per dwelling type	3 <sup>10</sup>	3 <sup>10</sup>	varies <sup>1</sup>	varies <sup>1</sup>	1, 10, 16
		Apartment dwelling, low rise, Stacked	18	450	15 <sup>19,20</sup> except in Area A on Schedule 342 where the maximum is 14.5	3	3 <sup>10</sup>	varies <sup>12</sup>	varies <sup>12</sup>	12, 16, 19

**Table 2: Excerpt from the zoning by-law provisions for R4 – Residential Fourth Density Zone (Sec. 161-162) Sub-Zone Z.**

Section 45(1) of the *Planning Act* states that a minor variance must meet four tests, being:

1. The variance must be a minor variance from the provisions of the Zoning By-law;
2. The variance must be desirable in the opinion of the Committee for the appropriate development or use of the land, building or structure;
3. The general intent and purpose of the Zoning By-Law must be maintained; and
4. The general intent and purpose of the Official Plan must be maintained.

#### 2.4.1 Minor in Nature

In determining whether a variance is minor in nature, the Committee of Adjustment must examine the relationship of the building and how if the variance to the by-law, if granted, would impact the immediate neighbours and the character of the existing area.

The variance requested to the interior side yard setback from the required minimum 7.5 m to 2.9 m for Building TE-3 south of the Subject Site, will allow for proper municipal servicing along the northern property line. This shifts the location of all three stacked dwelling buildings south on the Subject Site. The endnote which outlines the additional provisions for the minimum interior side yard setback for planned unit developments is as follows,

<sup>1(b)</sup> *An amount equal to the minimum required interior side yard setback for the dwelling type proposed, from a lot line where it abuts a side yard on an abutting lot for the first 18 metres back from the street and 25 percent of the lot depth for the remainder, to a maximum **7.5 metres***

The proposed interior side yard setback of 2.9 m south of Building TE-3, factored in with the orientation of the stacked dwelling private amenity areas and the parking area of the Blue Heron Co-Op Homes south of the Subject Site ensures that any concerns regarding noise or loss of privacy are respected for the adjacent residential development.

The variance being requested will not negatively impact the adjacent residential development as the design and layout of the proposed development is compatible with the character of the existing area.

#### **2.4.2 Appropriate and Desirable Development**

The second test speaks to whether the variance is appropriate and desirable to the development of the lands.

The proposed development for the Subject Site has been revised since the previously proposed development for both the western and eastern parcels. As previously mentioned, a rezoning exercise was completed to allow for the construction of a planned unit development for both western and eastern parcels which featured a higher residential unit count and density than what is currently being proposed. The variance requested is appropriate because it allows for the servicing of the units and does not impact the adjacent residential development or the Shirley's Brook creek corridor. The current proposal to construct a planned unit development for the Subject Site maintains the land use that was previously approved.

Considering the information provided above, the proposed minor variances would allow for development that is appropriate and desirable for the lands.

#### **2.4.3 Zoning By-Law 2008-250**

The third test requires that the general intent and purpose of the Zoning By-Law are maintained.

The purpose of the R4 – Residential Fourth Density Zone is to:

1. *Allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings, in some cases limited to four units, and in no case more than four storeys, in areas designated as General Urban Area in the Official Plan;*
2. *Allow a number of other residential uses to provide additional housing choices within the fourth density residential areas;*
3. *Permit ancillary uses to the principal residential use to allow residents to work at home;*
4. *Regulate development in a manner that is compatible with existing land use patterns so that the mixed building form, residential character of a neighbourhood is maintained or enhanced: and*
5. *Permit different development standards, identified in the Z subzone, primarily for areas designated as Developing Communities, which promote efficient land use and compact form while showcasing newer design approaches.*

The current proposal to construct stacked dwelling units as part of a planned unit development are permitted land uses in an R4Z Zone. The requested variance will allow for proper municipal servicing to the stacked buildings and meets the intent of the zoning by-law provisions. The 7.5 m interior side yard setback ensures adjacent developments are protected from concerns relating to noise and privacy. As previously mentioned, the proposed interior side yard setback of 2.9 m, factored in with the orientation of the stacked dwelling private amenity areas and the parking area of the Blue Heron Co-Op Homes south of the Subject Site ensures that any concerns regarding noise or loss of privacy are respected. The proposed development is a compatible built form with respects to the existing development in the surrounding community.

The minor variance maintains the general intent and purpose of the Zoning By-Law 2008-250.

#### **2.4.4 City of Ottawa Official Plan**

The fourth test requires that the general intent and purpose of the *City of Ottawa Official Plan* is maintained.

The Subject Site is designated as General Urban Area under the *City of Ottawa's Official Plan Schedule B*. Section 3.6.1 of the Official Plan states that the General Urban Area “permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances, in combination with conveniently located employment, retail, service, cultural, leisure, entertainment and institutional uses.” The proposed interior side yard setback of 2.9 m meets the intent of the *City of Ottawa Official Plan* and respects the relevant policies contained in Sections 2.5.1 and 4.11 of the *Official Plan* which speak to Urban Design and Compatibility.

The general intent and purpose of the *City of Ottawa Official Plan* is maintained.

### **3.0 INTEGRATED ENVIRONMENTAL REVIEW**

An Integrated Environmental Review Section 4.7 of the *Official Plan* states, “design components will be considered as basic inputs into the development process and must be accessed and considered prior to establishing an initial design of lot pattern”. Section 4.7.1 notes the consideration of significant findings from individual support studies which are used to ensure that development design complies with the environmental policies contained in Section 4, and that the principles of design with nature have been applied.

The following section will speak to the required technical studies and reports identified during the pre-consultation process with City staff on August 22, 2018. The reports and studies analyze environmental conditions and constraints, tree and natural vegetation retention, endangered species and habitats, natural heritage features, as well as soil and groundwater conditions. Further detailed information can be found within the specific reports which will be submitted in support of the proposed development.

#### **Geotechnical Study**

A Geotechnical Investigation was prepared by Paterson Group Inc. dated November 9, 2018. The purpose of the study was to determine the subsoil and groundwater conditions by means of test holes as well as provide geotechnical recommendations for the design of the proposed development including construction considerations that may affect the overall design. The report concludes with the following:

- Generally, the soil profile underlying the Subject Site consists of topsoil underlain by a thin silty sand layer followed by a stiff clay deposit and/or glacial till layer;
- The watercourse of Shirley's Brook was noted to be 2 to 3 m wide and approximately 0.5 m depth with 0.5 to 1.0 m high bank walls;



- It is expected that the proposed residential buildings will be founded on conventional shallow footings placed on an undisturbed, stiff silty clay or compact silty sand bearing surface; and
- From a geotechnical perspective, the Subject Site is suitable for the proposed residential development.

### ***Meander Belt Width Study***

A Meander Belt Width Study was prepared by Matrix Solutions Inc. Environment and Engineering dated November 9, 2018. The purpose of the study was to provide an assessment of Shirley's Brook at 762 March Road in Kanata, Ontario with respects to the erosion hazard limits for future development. Since original conceptual site plan approval, the MVCA has updated regulations mapping for Shirley's Brook including meander belt hazard delineations. Previous meander belt width considerations accounted for a 55 m wide meander, however the meander belt width was updated by MVCA to approximately 85 m through the study area. The MVCA requested a meander belt width assessment be submitted to demonstrate that the proposed development is beyond the hazard. The report concludes with the following:

- Based on empirical relationships developed to estimate meander belt widths based on bankfull channel parameters, a preliminary meander belt width of 23 m is recommended; and
- The final erosion hazard limit includes an additional 6 m access allowance on each side of the preliminary meander belt width for a total erosion hazard limit of 35 m.

### ***Environmental Site Assessment (ESA) – Phase I***

A revised Phase I Environmental Site Assessment (ESA) update was prepared by Paterson Group Inc. dated August 28, 2018 and updates the Phase I ESA report completed by Paterson Group Inc. dated October 12, 2010. The report is intended to meet the requirements for a Phase I ESA as per the MOECC standard O.Reg. 153/0 as amended by O.Reg. 269/11. This report is to be read in conjunction with the previous report. The purpose of the study was to determine the existing environmental conditions of the Subject Site and identify whether the contamination of soils and groundwater were present. The findings from the report are summarized below:

- Based on the information obtained and reviewed as part of this study, no records or concerns were identified with respects to: former underground storage tanks, spills, and incidents; potentially contaminating activities (PCAs); areas of potential environmental concern (APECs); or contaminants of potential concern (CPCs); and
- A Phase II ESA is not required for the Subject Site.

### ***Environmental Impact Statement (EIS)***

An Environmental Impact Statement (EIS) was prepared by McKinley Environmental Solutions dated November 2018. The EIS was undertaken following *the City of Ottawa's Environmental Impact Statement Guidelines* as well as guidance from the *Natural Heritage Reference Manual (OMNRF 2005)*. The purpose of the study was to document existing natural features on and around the Study Area; identify potential environmental impacts of the project; provide recommendations to avoid and reduce any negative impacts; and propose means to enhance natural features and functions. The findings from the report are summarized below:



- Shirley's Brook and the associated Blanding's Turtle habitat are the only significant natural heritage features found to exist within or adjacent to the Study Area;
- Shirley's Brook was identified as a Category 2 habitat for Blanding's Turtle through previous studies but a proposed 30 m vegetated setback from the normal high-water mark of Shirley's Brook (on both sides) will avoid all areas of Category 2 habitat;
- The development area falls within the definition of Category 3 habitat for Blanding's Turtle, which is designated primarily to provide a potential corridor for Blanding's Turtle movement. However, the Category 3 habitat found within the Study Area has little functional habitat value, due to the fact that all surrounding areas are developed.
- The proposed development of both land parcels is not anticipated to have a significant negative effect on the natural features and functions; and
- The proposed 30 m setback from the normal high-water mark of Shirley's Brook (on both sides) will protect the existing riparian habitat surrounding the watercourse and is not anticipated to infringe on the area regulated by the MVCA.

### **Tree Conservation Report (TCR)**

A Tree Conservation Report (TCR) was prepared by McKinley Environmental Solutions dated November 2018. Natural heritage regulatory requirements such as the *Ontario Endangered Species Act (ESA)*, *Ontario Regulation 153/06*, the *Fisheries Act*, and Tree Removal Permit were analyzed in the preparation of the TCR. The purpose of the TCR is to study the retention of natural vegetation using a design with nature approach to planning and engineering. The findings from the report are summarized below:

- A Tree Removal Permit will be required under the *City of Ottawa's Urban Tree Conservation By-law No. 2009-200* prior to the commencement of tree clearing;
- No forested habitats exist within the Study Area, and therefore tree measurement plots are not required;
- Historic air photos analysis from 1976 to 2014 indicate past farmed or meadow/pasture, few mature trees, hedgerows, a depression in the eastern parcel that is no longer present after being graded or filled in;
- Vegetation communities were identified throughout the Study Area;
- Trees will be retained throughout the 30 m vegetated setback from the normal high-water mark of Shirley's Brook (on both sides);
- The majority of the Study Area consists of open habitats that are largely devoid of mature tree cover and trees that do occur are found around the margins of the Study Area which consist of recent regrowth stems with comparatively little ecological value; and
- The loss of tree coverage within the development area is not anticipated to be ecologically significant.

### **Stationary Noise Study**

A Stationary Noise Study was prepared by J.L. Richards dated December 19, 2018. The purpose of the study is to assess the potential environmental noise impact on the Development, due to vehicular traffic on March Road and the stationary noise generated from the roof-top air handling units and boiler located at 750 March Road (Blue Heron Co-Op). The study is prepared to satisfy the Ministry of Environment (MOE) Environmental Noise Guidelines NPC-300 and the City of Ottawa Environmental Noise Control Guidelines (approved by City Council January 2016) and in

particular Part 4 Section 3.2 Noise Control Detailed Study Requirements in support of Minto's Site Plan Application. The conclusions from the report are summarized below:

- Predicted noise levels are not expected to exceed the City of Ottawa ENCG and MOE criteria for daytime outdoor living areas for the proposed amenity space;
- The site layout has been designed to reduce the reliance of noise barriers as the primary noise mitigation tool;
- Building orientation and increased separation to the transportation noise source have been used to reduce noise levels at the amenity area; and
- Predicted noise levels are expected to exceed the City of Ottawa and MOE criteria for the plane of window receivers. However, the use of standard wall and window construction details exceeds the minimum requirements to mitigate exterior noise levels to meet MOE and City of Ottawa indoor noise criteria.

### ***Site Servicing Brief***

The Site Servicing and Stormwater Management Brief was prepared by J.L. Richards dated December 19, 2018. The Site Servicing Report outlines the design objectives and criteria, servicing constraints and strategies for the development of Morgan's Creek Stage 1 in accordance with the November 2009 Servicing Study Guidelines for Development Applications in the City of Ottawa (City) as well as the Ottawa Sewer Design Guidelines (2012) and associated Technical Bulletins. The conclusions from the report are summarized below:

- The existing water infrastructure has sufficient capacity to service the subject site and the proposed system was found to comply with the pressure and fire flow requirements given in the Design Guidelines;
- There is adequate capacity in the existing storm and sanitary outlet sewers for the subject site;
- Grade raises have been kept below the maximum allowable limit and geotechnical recommendations have been respected; and
- Storm and stormwater management servicing has been designed to provide sufficient on-site storage to detain the 1:100 year design storm with flows to the prescribed unit rate of 70 L/s/ha

### ***Transportation Impact Assessment (TIA)***

A Transportation Impact Assessment was prepared by CGH Transportation Inc. dated November 2018. The study has been prepared according to the *City of Ottawa's Transportation Impact Assessment Guidelines (TIA)*. The findings from the report are summarized below:

- Sidewalks are provided along both sides of March Road, a pathway along the south side of Shirley's Brook Drive, and a paved shoulder along the north side of Klondike Road;
- Cycling network consists of bike lanes on March Road, a two-way cycle track on Klondike Road between March Road and Sandhill Road, and pathways along Shirley's Brook to the south and through Juanita Snelgrove Park to the east;
- The #63 and #165 bus transit routes currently operate within the study area with varying levels of service ranging from low to high frequencies, with the highest frequency during commuter peaks and day time;

- The proposed development will be within the 400 m walking radius of a future planned BRT station at March Road and Klondike Road which is beyond the 2031 Affordable Network and the March Road EA;
- The demand rationalization is not triggered with respect to the development generated traffic;
- No operational issues are noted at the study area intersections during the future background 2020 and 2025 conditions;

#### 4.0 CONCLUSION

It is our assessment that the proposed development is consistent with the *Provincial Policy Statement (PPS)*, conforms to the *City of Ottawa's Official Plan*, generally complies with the provisions of the *Zoning By-Law 2008-250* and respects the applicable urban design guidelines found in the *Official Plan*.

This planning rationale, along with the associated technical studies, supports the development of the proposed stacked dwelling units. The proposal to construct stacked dwelling units is compatible with existing and planned surrounding uses and functions well within the surrounding context. The proposed development is an appropriate and desirable addition to the community and represents good planning.

Yours truly,

#### NOVATECH



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**Appendix A:  
Site Plan SP1 REV 2  
Dated December 7, 2018  
Produced by Minto Communities Inc.**

