

**5 Orchard Drive
Community of Stittsville**

Proposed Residential Subdivision

Planning Rationale Report

June 2018

Prepared for

Campanale Homes

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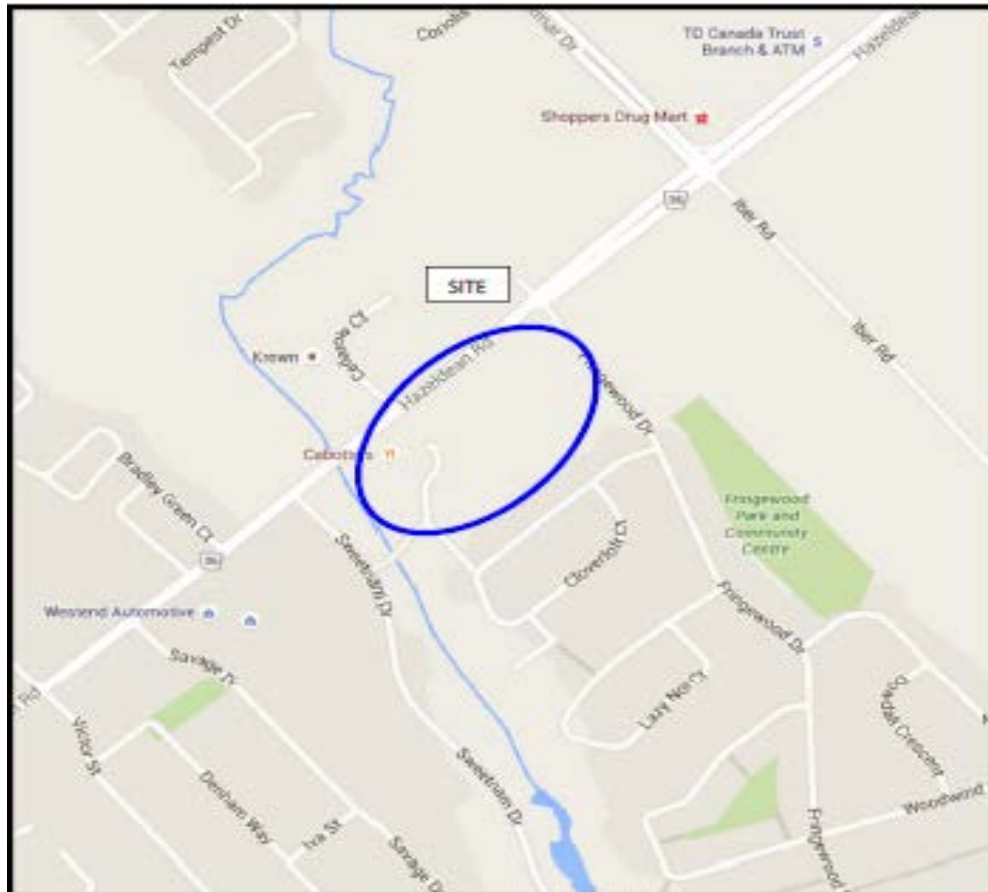
Figure 20: Plan referred to in January 9, 2018 MVCA email

Appendix A: Existing Zoning

1. Introduction

The proposal before you is a request to obtain zoning and draft plan of subdivision approval for the development of a 74 unit subdivision in the community of Stittsville off Fringewood Drive south of Hazeldean Road as shown on Figure 1: Location Plan. The following provides a description of the project and supporting planning rationale.

Figure 1: Location Plan



2. Site Context and Existing Land Use

The subject property is located on the west side of Fringewood Drive to the immediate north of the existing residential development fronting onto Cloverloft Court which is part of the Fringewood subdivision. The land proposed to be developed is part of a larger property known as Part of Lots 26 and 27 Concession 11 Township of Goulbourn now in the City of Ottawa. The intent is to develop the southern third (referred to as Phase 1 on Figure 2) of this larger property as residential (per this proposal) while the balance (referred to as Phase 2 on Figure 2) would be retained for future commercial development. The total site area is 3.981 ha. which includes the proposed residential parcel of 2.145 ha.

Figure 2: Subject Property



The subject property is vacant save and except for a driveway serving the existing Cabotto Restaurant located at 5816 Hazeldean Road; this driveway will not be impacted by the proposed residential development but may re-configured in the future when the commercial lands get developed. In addition, there is a private road identified at Orchard Drive on geo Ottawa which appears to provide access from Sweetnam Drive to Cabotto restaurant and Cloverloft Court; notwithstanding the above, this road is now closed and does not show up as having any public road status per a recent title search commissioned by Campanale Homes.

According to the Muncaster Environmental Planning Inc. Tree Conservation Report and Environmental Impact Statement, the majority of the site is open and has been in agricultural use

for an extended time. Mobile homes were in the west portion of the site until approximately 2008. Area of trees can be found along the north, east and south edges of the property. Details on species and conditions are discussed in the said Muncaster report. Adjacent land uses, as shown on Figures 3-9, include:

- North: vacant land held for future commercial development (shown as Phase 2 per Figure 2) as discussed above. Further to the north is Hazeldean Road and commercial uses including Cabotto Restaurant at 5816 Haledéan Road; the adjacent property at 5380 Hazeldean Road which is pending site plan approval (City file D07-12-15-0134) for a 2 storey commercial building to accommodate an automotive parts supplier (see Figure 10);
- South: residential neighbourhood known locally as the Fringewood subdivision made up of single family detached homes built in part from modular (mobile) homes sitting on foundations; this subdivision is understood was developed in the 80s and consists of public streets with open ditches and no sidewalks;
- East: Fringewood Drive, which appears to function as a collector road, is located to the immediate east of the subject property while lands across this street are currently under development for approximately 13,500 square meters of retail and office uses (see Figure 11);
- West: Poole Creek is located to the immediate west of the subject property; further to the west lies Sweetnam Drive which provided access to commercial-industrial uses.

Figure 3: Existing Land Use



Figure 4: Subject Property taken from Fringewood Drive



Figure 5: Subject Property taken from Hazeldean Road at Fringewood Drive



Figure 6: Subject Property and Cabotto Restaurant from Hazeldean Road



Figure 7: Industrial Uses along Sweetnam Drive



Figure 8: Orchard Drive Closed at Sweetnam Drive



Figure 9: Residential units along Cloverloft Court



Figure 10: 5380 Hazeldean Road pending site plan approval for a 2 storey commercial

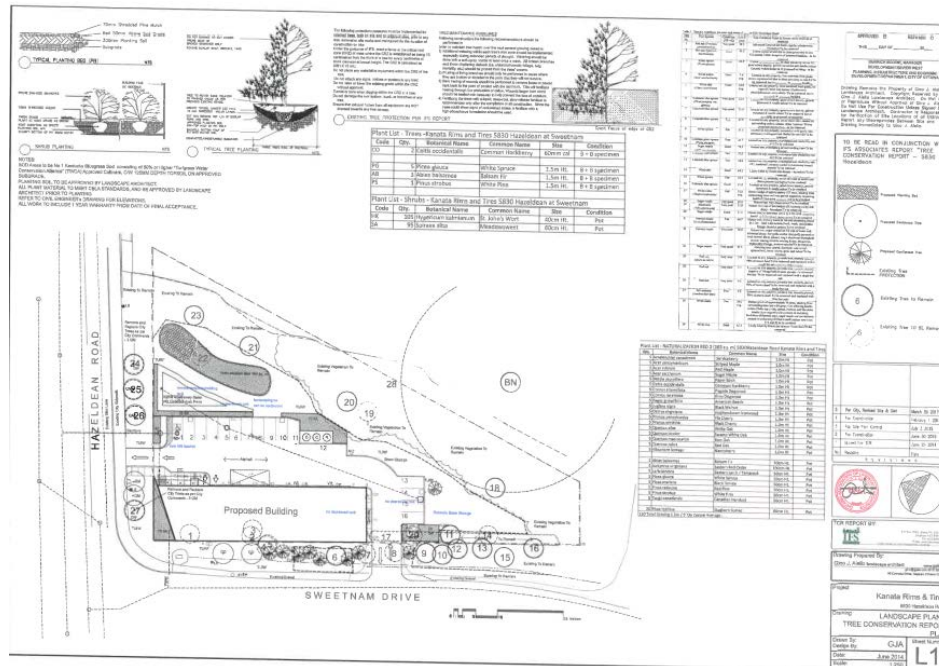
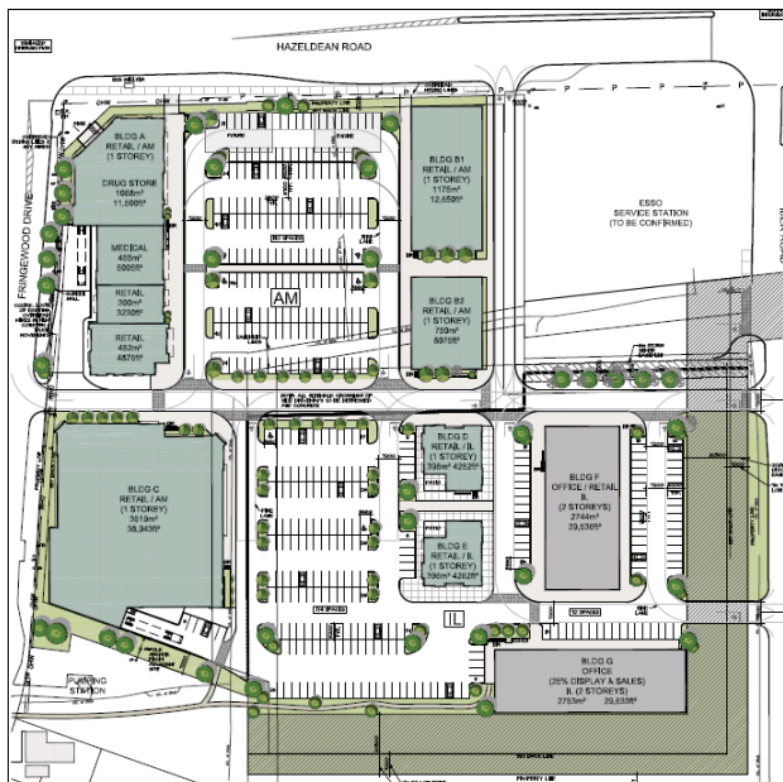


Figure 11: Commercial under construction on the south east corner of Fringewood Drive and Hazeldean Road



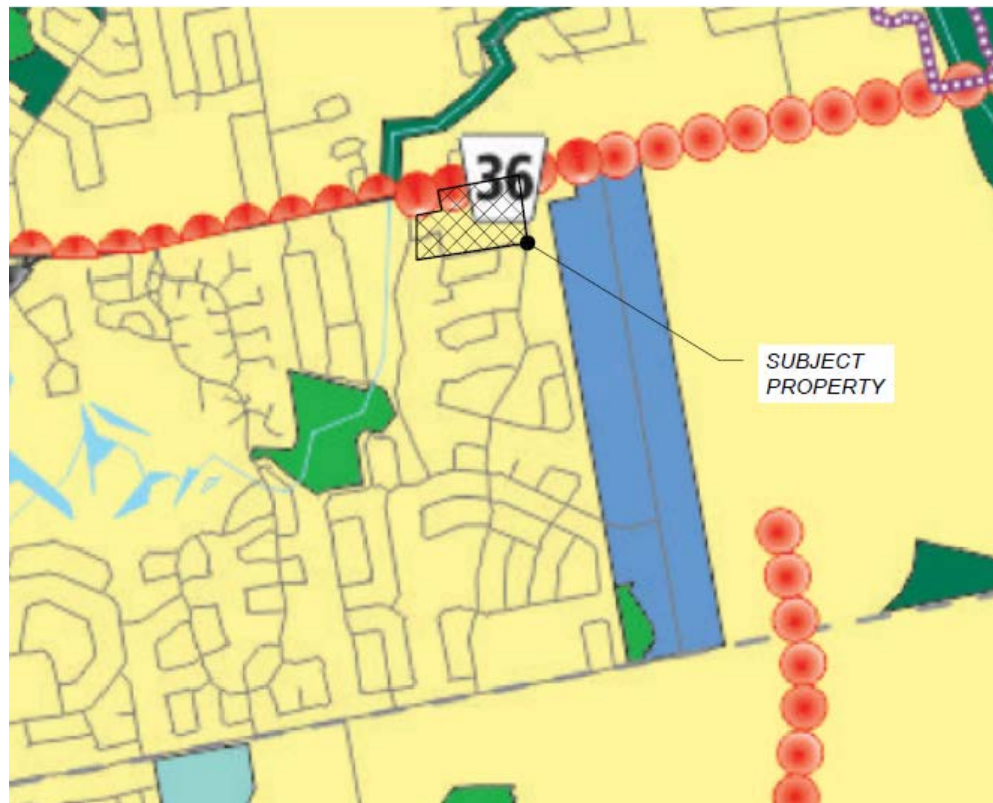
According to Parsons' TIA Forecasting and Strategy Report, 'transit service within the vicinity of the site is currently provided by OC Transpo Routes #61, #62, #261 and #263. Bus stops for routes #62 and #261 are located on Fringewood Drive, approximately 60m walking distance south of the site. Bus stops for Routes #61, #62, #261 and #263 are located on Hazeldean Road approximately 200m walking distance 5 Orchard Road –Forecasting and Strategy Report 4 north of the site. Local Routes #61 and 62 provide frequent all-day service, and Connexion Routes #261 and #263 provide morning service in the northbound direction and afternoon service in the southbound direction.'

3. Planning Context

3.1 City of Ottawa Official Plan 2003

The subject property, (fronting onto Halzeldean Road and being less than 200 meters deep) is understood to be designated Arterial Mainstreet in accordance with Schedule B of the City of Ottawa Official Plan. See Figure 12. In turn the Arterial Mainstreet designation permits a broad range of uses “including retail and service commercial uses, offices, residential and institutional uses. Uses may be mixed in individual buildings or occur side by side in separate buildings. Where a Mainstreet abuts an Employment Area, the zoning by-law may prohibit noise-sensitive uses on the Mainstreet where appropriate.”

Figure 12: Schedule B of the City of Ottawa Official Plan and Legend

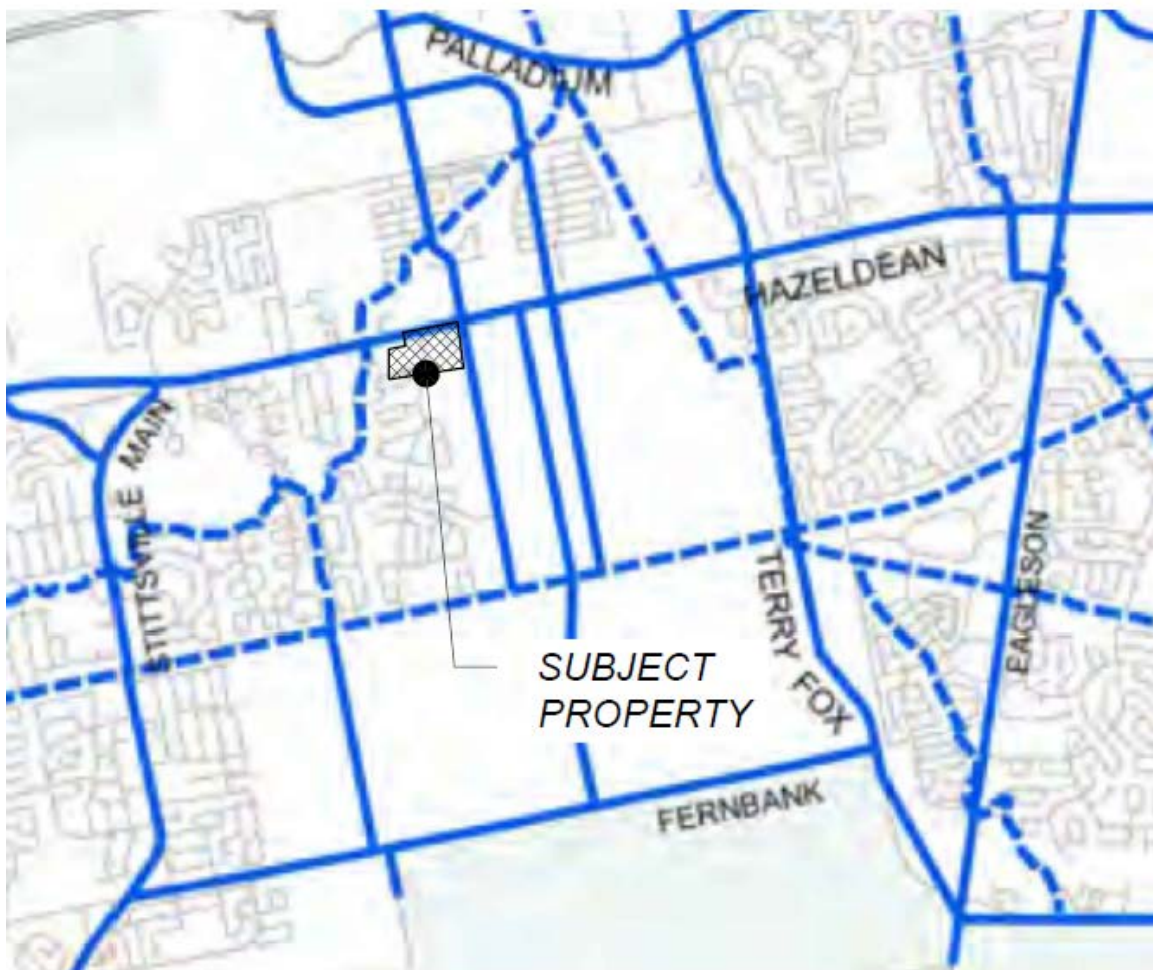


General Urban Area	Zone urbaine générale
Urban Expansion Study Area	Zone d'étude d'expansion urbaine
Central Area	Zone centrale
Town Centre	Centre ville
Traditional Mainstreet	Rue principale traditionnelle
Arterial Mainstreet	Artère principale
Mixed Use Centre	Centre polyvalent
Carp River Restoration Policy Area Overlay	Zone sous-jacente de restauration de la rivière Carp
Developing Community (Expansion Area)	Communauté en développement (zone d'expansion)

ques

According to Schedule C of the City of Ottawa Official Plan re Primary Urban Cycling Network, an off road cycling route is contemplated to run near the site along the west side of Poole Creek. In addition, Hazeldean Road is designated to accommodate an on-road cycling route. See Figure 13.

Figure 13: Schedule C of the City of Ottawa Official Plan and Legend



CITY-WIDE NETWORK		RESEAU PRINCIPAL	
On-road Cycling Routes	—	Voies cyclables	—
Off-road Cycling Routes (multi-use pathways)	- - -	Cyclables hors chemin (sentiers polyvalents)	- - -

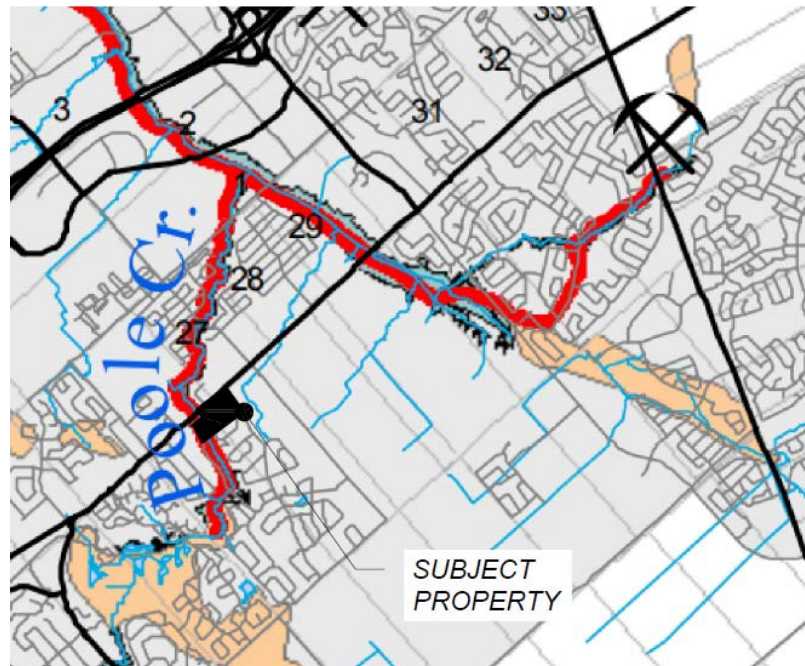
According to Schedule E Urban Road Network of the Official Plan, Fringewood Drive is designated as an existing Major Collector while Sweetnam Drive is designated as an existing Collector. Hazeldean Road is designated as an existing Arterial. See Figure 14.

Figure 14: Schedule E Urban Road Network of the Official Plan



Schedule K Environmental Constraints identifies Poole Creek in red per Figure 15 as being subject to unstable slopes.

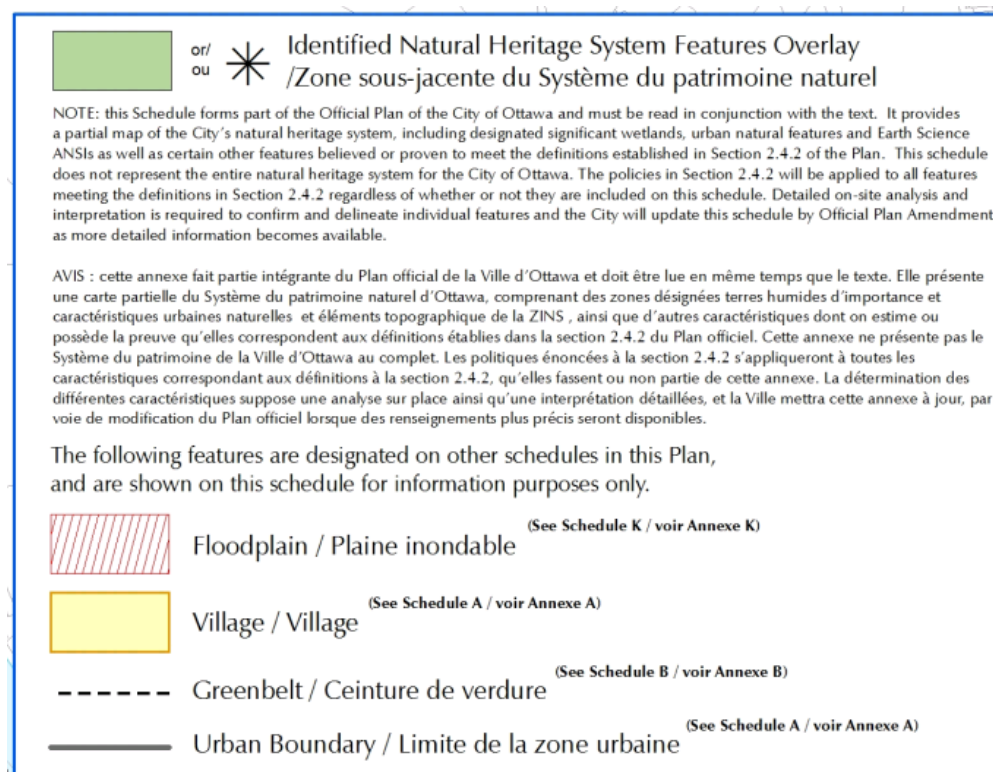
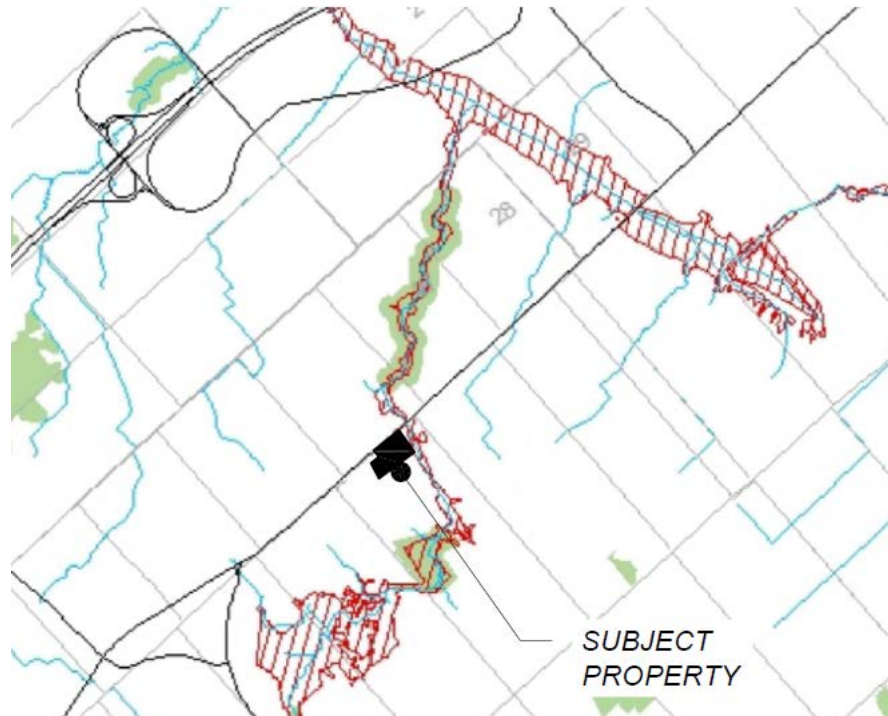
Figure 15: Schedule K Environmental Constraints of the Official Plan



Village		Village
Flood Plain		Zone inondable
Two Zone Flood Plain		Plain inondable en deux zones
Organic Soils		Sols organiques
Wellhead Protection Area (Vulnerability Scores)		Zone de protection des têtes de puits (Indices de vulnérabilité)
Intake Protection Zone (Vulnerability Scores 10,9,8,8.1)		Zones de protection des prises d'eau (Indices de vulnérabilité 10,9,8,8.1)
Unstable Slopes		Terrains en pente instables
Airport Vicinity Development Zone		Zone d'aménagement dans le voisinage de l'aéroport
Ottawa Airport Operating Influence Zone		Zone d'influence de l'exploitation de l'aéroport d'Ottawa
Landform Feature		Caractéristiques topographiques
Provincially Significant Earth Science Area of Natural And Scientific Interest		Zone d'intérêt naturel et scientifique (ZINS) d'importance provinciale liée aux sciences de la terre
Carp and Rockcliffe Airports		Les aéroports de Carp et Rockcliffe

According to Schedule L3 Natural Heritage System Overlay, the lands adjacent to Poole Creek located immediately west of the subject property are within the Floodplain. See Figure 16.

Figure 16: Schedule L3 Natural Heritage System Overlay of the Official Plan



3.2 City of Ottawa Official Plan Amendment No. 150

In 2013, the City of Ottawa initiated a review of its Official Plan which resulted in numerous changes to policy and land use designations. Ottawa Council adopted Official Plan Amendment (OPA) 150 to implement the changes of this review which was subsequently appealed to the Ontario Municipal Board.

While OPA 150 is not in full force and effect, it is understood that none of the policy changes contemplated in OPA 150 alter the applicable policies of the 2003 Official Plan as they generally relate to the proposal before you.

3.3 Zoning Bylaw 2008-250

The subject property is mostly zoned AM9 while a small portion of the subject property adjacent to Poole Creek is zoned O1R as shown on Figure 17.

Figure 17: Zoning Bylaw 2008-250



The AM9 zone is mixed use zone that permits a variety of residential and non residential uses. The following is an excerpt from Zoning Bylaw 2008-250 listing the permitted uses. See Appendix A for a full excerpt of Zoning Bylaw 2008-250.

Permitted Non-Residential Uses

	(1)	The following non-residential uses are permitted subject to:	
		(a)	the provisions of subsections 185(3) to (5), and
		(b)	amusement park being located within a building:
			amusement centre amusement park animal care establishment animal hospital artist studio automobile dealership automobile rental establishment automobile service station bank bank machine bar broadcasting studio car wash catering establishment cinema click and collect facility (By-law 2016-289) community centre community health and resource centre convenience store day care diplomatic mission, see Part 3, Section 88 drive-through facility emergency service funeral home gas bar hotel instructional facility library medical facility municipal service centre museum nightclub office park

			<p> parking garage payday loan establishment (By-law 2017-302) personal service business place of assembly place of worship post office production studio recreational and athletic facility research and development centre residential care facility (By-law 2011-273) restaurant retail food store retail store school service and repair shop small batch brewery, <i>see Part 3, Section 89</i> sports arena technology industry theatre training center urban agriculture, <i>see Part 3, Section 82</i> (By-law 2017-148) </p>
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Permitted Residential Uses

	(2)	The following residential uses are permitted:
		<p> apartment dwelling, low rise apartment dwelling, mid-high rise (<i>Subject to By-law 2014-292</i>) bed and breakfast, <i>see Part 5, Section 121</i> dwelling unit group home, <i>see Part 5, Section 126</i> home-based business, <i>see Part 5, Section 127</i> home-based day care, <i>see Part 5, Section 129</i> planned unit development, <i>see Part 5, Section 131</i> retirement home retirement home, converted, <i>see Part 5, Section 122</i> rooming house rooming house, converted, <i>see Part 5, Section 122</i> rooming unit stacked dwelling, <i>see Part 5, Section 138</i> (By-law 2010-307) townhouse dwelling, <i>see Part 5, Section 138</i> (By-law 2012-334) (By-law 2010-307) (By-law 2014-189) </p>

With respect to the Park and Open Space Zone (O1R), it's stated purpose is to ‘*permit parks, open space and related and compatible uses to locate in areas designated as **General Urban Area, General Rural Area, Major Open Space, Mixed Use Centre, Village, Greenbelt Rural and Central Area** as well as in **Major Recreational Pathway areas** and along **River Corridors** as identified in the Official Plan, and ensure that the range of permitted uses and*

*applicable regulations is in keeping with the low scale, low intensity open space nature of these lands.’ Permitted uses with his this zone are listed in sub-zone O1R as follows:
environmental preserve and education area and forestry operation.*

4. Proposal

The proposal calls for the development of a local street accessed from Fringewood Drive and terminating in a cul de sac on lands identified as Phase 1 on Figure 2. In turn, this street is intended to accommodate approximately 65 townhouses, 2 semi detached units and 7 single family detached units as shown in Figure 18. The draft plan of subdivision (see Figure 19) proposes the creation of a public street and several blocks intended to accommodate the proposed townhouses and semis; these blocks will be further subdivided through lifting of part lot control after the subdivision is registered.

The proposal also calls for the creation of a walkway block near the cul sac in order to enable a pedestrian and cycling connection to lands located north of the proposed residential development.

Figure 18: Proposed Concept Plan

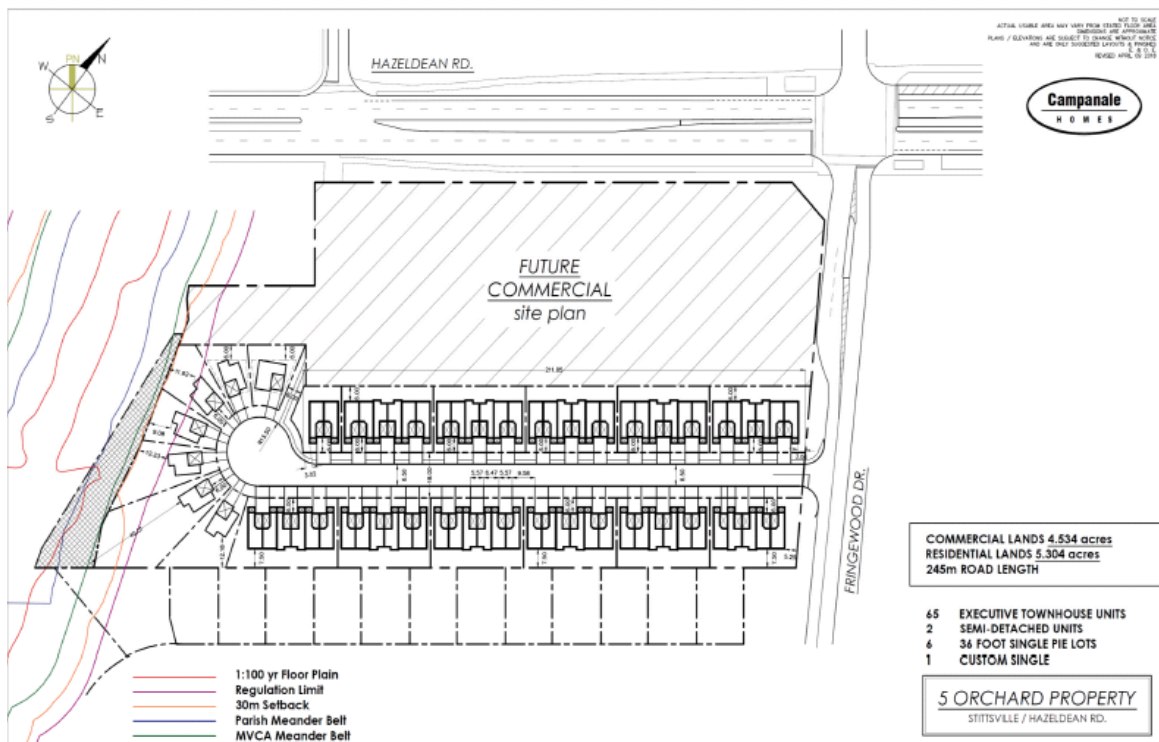
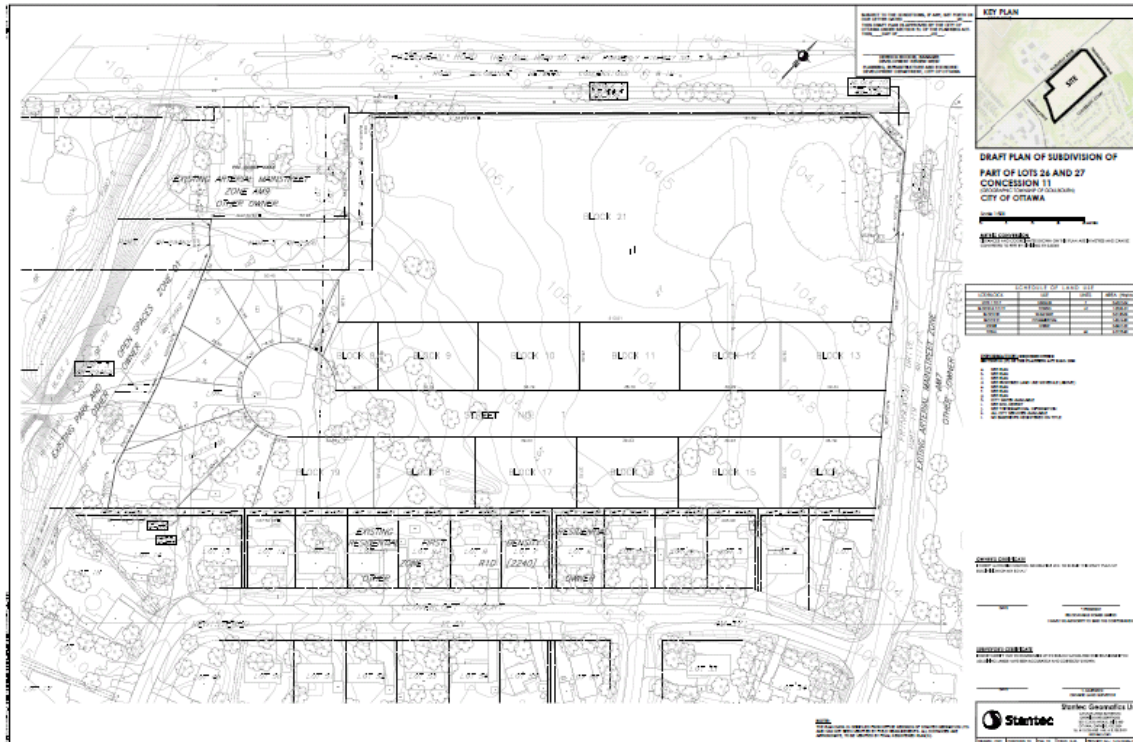


Figure 19: Proposed Draft Plan of Subdivision



5. Required Approvals

The proposal will require the approval of a zoning bylaw amendment application and draft plan of subdivision application.

Based on a review of the proposed concept plan and draft plan of subdivision, the following amendments to Zoning Bylaw 2008-250 will be required:

- Rezone the subject property to permit single family and semi detached dwellings in addition to the townhouses already permitted under the existing AM9 zoning;
- Provide appropriate zoning standards consistent with the proposed development;
- Rezone that part of the property zoned O1R to whatever zone is assigned to the balance of the subject property.

6. Planning Rationale

6.1 Conforms to the City of Ottawa Official Plan

The City of Ottawa Official Plan provides a complete set of policies and guidelines to evaluate development proposals such as the one that is subject to this report. To this end, the following sections of the Official Plan were consulted to ensure compliance; section 2.5.1 re Urban Design and Compatibility and section 4 re Review of Development Applications.

Section 2.5.1 re Urban Design and Compatibility

This section of the Official Plan contains design objectives intended to be applied to new developments.

To enhance the sense of community by creating and maintaining places with their own distinct identity.

Comment: The proposed development will be creating its own distinct identity by virtue of being located on a cul de sac with only one vehicular access point.

To define quality public and private spaces through development

Comment: The proposed development will be built to current state of the art development standards as required by the City of Ottawa.

To create places that are safe, accessible and are easy to get to, and move through.

Comment: The proposed development will be a quiet street by virtue of being on a cul de sac and will have all units oriented towards the street for a maximum number of ‘eyes on the street’ and implied safety. Pedestrians and cyclists will be able to access the property via the proposed sidewalk and proposed walkway block as discussed in this report.

To ensure that new development respects the character of existing areas.

Comment: The proposed residential density and unit types (ie. singles, semis and townhouses) offers the best opportunity of respecting the residential character of neighboring lands to the south (relative to other uses permitted in the AM9 zone) and still ensure a reasonable land use transition when the balance of the property is developed for anticipated commercial uses to the north.

To consider adaptability and diversity by creating places that can adapt and evolve easily over time and that are characterized by variety and choice. [OMB decision #2649, September 21, 2006]

Comment: The proposed development will front onto a public street which in turn may facilitate the implementation of this objective.

To understand and respect natural processes and features in development design

Comment: The proposed development has been reviewed in the Tree Conservation Report and Environmental Impact Statement prepared by Muncaster Environmental Planning Inc. Page 11 of this report deals with tree retention. It states: “*No tree retention potential is anticipated for the site other than along the south site boundary and the west portion of the larger southwest edge lots, as shown on Map 2. Detailed Engineering studies and associated grading requirements will determine if tree retention is feasible in these areas.*”

To maximize energy-efficiency and promote sustainable design to reduce the resource consumption, energy use, and carbon footprint of the built environment.

Comment: The proposed development will be making use of state of the art building materials and practices to maximize energy efficiency.

Section 4 re Review of Development Applications

This section of the report assesses how the proposed development conforms to section 4 of the City of Ottawa Official Plan policies and guidelines as downloaded from the City of Ottawa’s web site.

- *Policy 4.1 (Site-Specific Policies and Secondary Policy Plans)*

Comment: The subject property is not located within a Community Design Plan or Secondary Plan area;

- *Policy 4.2 (Adjacent to Land-Use Designations)*

Comment: The subject property is not understood to be adjacent to any significant land use feature identified in this policy;

- *Policy 4.3 (Walking, Cycling, Transit, Road and Parking Lots):*

Comment: The subject property will be accessible via Fringewod Drive. Pedestrians and cyclists will also be able to access the property from the north via the proposed walkway discussed in this report. Transit service via OC Transpo is available as discussed earlier in this report.

- *Policy 4.4 (Water and Wastewater Servicing):*

Comment: The subject property is planned to be connected to municipal water and wastewater facilities prior to occupancy. The proposed services are understood to be adequate in order to accommodate the proposed development according to a report prepared by DSEL Engineering dated June 2018.

- *Policy 4.5 (Housing):*

Comment: Not applicable as this proposal call for the creation of new housing.

- *Policy 4.6 (Cultural Heritage Resources),*

Comment: Not applicable

- *Policy 4.7 (Environmental Protection),*

Comment: The proposed development is understood to be subject to this policy as it is adjacent to Poole Creek which in turn is shown on Schedule K Environmental Constraints as having 'unstable slopes' and being within the Floodplain per Schedule L3 Natural Heritage System Overlay.

The unstable slope issue has been addressed in the February 2018 Geotechnical Investigation Report prepared by the Paterson Group. Page 12 (Section 5.8) of this report states as follows: *'A slope stability analysis was carried out to determine the required stable slope allowance setback from the top of slope. Toe erosion and 6 m erosion access allowances were also considered in the determination of limits of hazard lands and are discussed on the following pages. The proposed limit of hazard lands including the stable slope allowance, toe erosion allowance, and 6 m erosion access allowance and top of slope are shown on Drawing PG4428-1 - Test Hole Location Plan in Appendix 2'.*

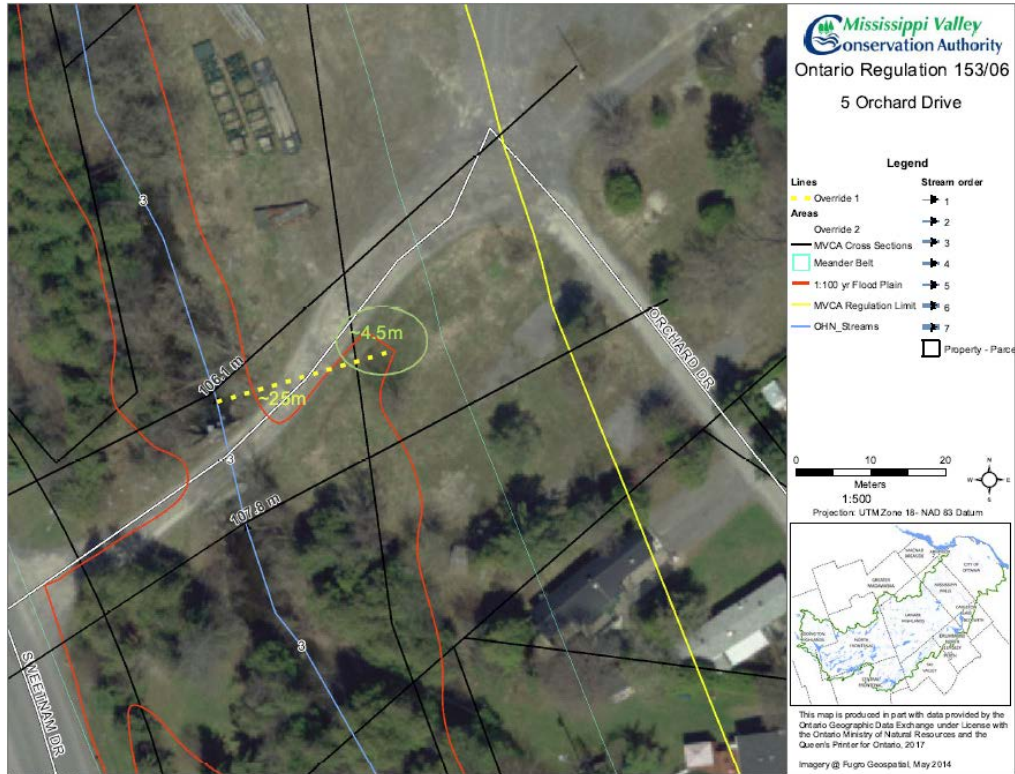
The issue of the floodplain overlapping with the subject property is addressed in an email from Niall Oddie of the Mississippi Valley Conservation Authority (MVCA) to Laurel McCreight (City of Ottawa) dated January 9, 2018. The relevant excerpt from this email along with the plan referred to herein (see Figure 20) is as follows:

Spill Area

There is in fact a small flood plain spill area adjacent to the western boundary of the subject lands. The spill area is not identified on our electronic mapping but is identified on our hard copy regulation maps and referenced in the report for Poole Creek. Please see attached. I apologize for not discussing in the meeting yesterday.

The spill area is approximately 4.5m in width and is located approximately 25m from the center of Poole Creek. Given the boundary of the subject lands was adjusted in 2016 to be 30m from the high water mark of Poole Creek, the spill area appears to originate on the adjacent lands rather than the subject lands. The spill area should be addressed by constructing a berm to a minimum elevation of 107.8m to contain the 1:100 year event. Ideally the berm would be constructed on the adjacent lands. If this is not possible, we could work with the applicant and any other impacted property owners to determine an alternate approach. A permit is required from our office to authorize the work.

Figure 20: Plan referred to in January 9, 2018 MVCA email



Therefore based on the above and subsequent conversations between the proponent's engineer and the MVCA, it would appear that the construction of a berm or appropriate grading to MVCA's satisfaction may suffice to address this issue.

The Traffic Noise Assessment prepared by Gradient Wind Engineering Inc. concludes that a noise barrier will be required along the rear property line of units adjacent to Hazeldean Road (see report for location details).

• *Policy 4.8 (Protection of Health and Safety):*

Comment: The subject property is not within the Ottawa Airport Operating Influence Zone and Ottawa Airport Vicinity Development Zone.

• *Policy 4.9 (Energy Conservation Through Design):*

Comment: The proposed development will encourage energy conservation through application of state of the art building practices.

• *Policy 4.10 (Greenspace Requirements),*

Comment: The proposal will be paying cash in lieu of parkland to satisfy Planning Act requirements.

• *Policy 4.11 (Urban Design and Compatibility)*

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, or site specific policies, Council-approved design guidelines, Provincial Environmental Assessments, and functional design plans for capital projects, as well as the Design Objectives and Principles in Section 2.5.1, and the preceding policies in Sections 4.1 through 4.10. [Amendment #76, OMB File #PL100206, August 18, 2011] [Subject to Amendment #113, November 14, 2012]*

Comment: The subject property does not lie within a Community Design Plan or Secondary Plan 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 weighted on the basis of site circumstances: [Amendment #76, OMB File #PL100206, August 18, 2011]

- a. Traffic: Roads should adequately serve the development, with sufficient capacity to accommodate the anticipated traffic generated. Generally development that has the potential to generate significant amounts of vehicular traffic should be located on arterial or major collector roadways so as to minimize the potential for traffic infiltration on minor collector roadways and local streets;

Comment: According to Parsons' TIA Forecasting and Strategy Report, the proposed residential development is recommended from a transportation perspective.

- b. Vehicular Access: The location and orientation of vehicle access and egress should address matters such as the impact of noise, headlight glare and loss of privacy on development adjacent or immediately opposite. Vehicular access and egress for development that has the potential to generate a significant amount of vehicular traffic should be oriented on streets other than local streets, wherever the opportunity exists, considering traffic safety and other transportation objectives of this Plan; [Amendment #76, OMB File #PL100206, August 18, 2011]

Comment: The proposed development is proposed to be accessed from Fringewood Drive. According to Parsons' TIA Forecasting and Strategy Report, the proposed residential development is recommended from a transportation perspective

- c. **Parking Requirements:** The development should have adequate on-site parking to minimize the potential for spillover parking on adjacent areas. A range of parking forms, including surface, decked, and underground, should be considered taking in account the area context and character. Opportunities to reduce parking requirements and promote increased usage of walking, cycling and transit will be pursued, where appropriate, particularly in the vicinity of transit stations or major transit stops in accordance with the provisions of Section 4.3; [Amendment #76, OMB File #PL100206, August 18, 2011]

Comment: The proposal intends to be in full compliance with zoning requirements for vehicular parking.

- d. **Outdoor Amenity Areas:** The development should respect the privacy of outdoor amenity areas of adjacent residential units and minimize any undesirable impacts through the siting and design of the buildings and the use of screening, lighting, landscaping or other mitigative design measures;

Comment: The proposed development will provide private amenity areas for each unit.

- e. **Loading Areas, Service Areas, and Outdoor Storage:** The operational characteristics and visual appearance of loading facilities, service areas (including garbage), parking and areas for the outdoor storage of goods or materials should be mitigated using a variety of methods (e.g., location, containment, screening, berms, and/or landscaping). These uses and activities should be located away from residences where possible;

Comment: Not applicable.

- f. **Lighting:** The potential for light spill over or glare from any lighting source onto adjacent light-sensitive areas should be avoided or mitigated;

Comment: Street lighting, in full compliance with City standards, will be provided.

- g. **Noise and Air Quality:** The development should be located and designed to minimize the potential for significant adverse effects on adjacent sensitive uses related to noise, odours, and other emissions.

Comment: The proposed use is not anticipated will generate any significant noise, odours or other emissions.

- h. **Sunlight:** The development should minimize shadowing on adjacent properties, to the extent practicable, particularly on outdoor amenity areas, through the siting of buildings or other design measures;

Comment: The proposed buildings are low rise and should not trigger shadowing problems.

- i. Microclimate: The development should be designed to minimize adverse effects related to wind, snow drifting, and temperature on adjacent properties;

Comment: The proposed buildings are low rise and should not trigger a microclimate concern.

- j. Supporting Neighbourhood Services: The development should contribute to or be adequately served by existing or proposed services and amenities such as health facilities, schools, parks and leisure areas. Where the proposed development itself is to contribute such services and amenities, they should be of a scale appropriate to the needs and character of the area. [Amendment #28, July 13, 2005] [OMB decision #2649, September 21, 2006]

Comment: The proposal will be paying cash in lieu of parkland to satisfy Planning Act requirements.

3. Development proponents will indicate how the proposed development addresses the intent of the Design Objectives and Principles. The Design Considerations, set out in Annex 3, offer some ways in which the Design Objectives and Principles might be realized. The importance of each principle will be evaluated and weighted according to the specific circumstances under consideration. While all Design Objectives and Principles must be considered, not all elements will apply in all cases and not all will apply with equal importance. The City will work with the proponent and will consult with the community to best determine how the design framework will be implemented in the local context. [Amendment #76, OMB File #PL100206, August 18, 2011]

Comment: The proposal is viewed as being in keeping with the applicable objectives and principles of this policy.

4. Buildings, structures and landscaping will be used to clearly define public spaces, such as streets and parks. In density target areas identified in S.2.2.2 of this Plan, development will be in the form of continuous building frontages that frame the street edge and support a more pedestrian-friendly environment. In some parts of the city, this will mean that new development consolidates an existing building fabric through infill or redevelopment opportunities. In other cases, where there is no established building fabric along the street, new buildings will occupy gaps in the streetscape caused by parking and/or deep building setbacks. New buildings must either be properly integrated into their existing building fabric, or help create a new building fabric.[Amendment #76, OMB File #PL100206, August 18, 2011]

Comment: The proposal intends to have all buildings sited in full compliance with the requirements of Zoning Bylaw 2008-250.

5. The City will work with development proponents to achieve the Design Objectives and Principles of this Plan through means such as the coordination and development of capital improvements within the public realm with development and redevelopment

activities on adjacent properties in the private realm.[Amendment #76, OMB File #PL100206, August 18, 2011]

Comment: Acknowledged.

6. As the owner of many public places, public works and buildings, the City will set an example for the community through the provision of public art in municipal facilities (to include all types of municipal structures, and lands) and will encourage other public- and private-sector owners and developers to include art as a public component of their developments.[Amendment #76, OMB File #PL100206, August 18, 2011]

Comment: No public art is proposed.

7. The following guidance is provided as a guide for the preparation of secondary plans and community design plans, and for consideration when reviewing development applications:
 - a. Low-Rise – a one to four storey building;
 - b. Medium-Rise – a five to nine storey building;
 - c. High-Rise – a building 10 storeys or more.

[Amendment #76, OMB File #PL100206, August 18, 2011]

Comment: Acknowledged

8. High-rise buildings may be considered on lands within the following designations as defined on Schedule B of this Plan, provided all other policies of this Plan are met:
 - a. Central Area;
 - b. Mixed-use Centres and Town Centres;
 - c. Employment Areas that are principally prestige business parks and Enterprise Areas, subject to the provision of appropriate built form transitions between the Employment or Enterprise Area and adjacent residential communities built at lower profiles; and
 - d. Traditional and Arterial Mainstreets, provided the provisions of policy 10 below are satisfied.

[Amendment #76, OMB File #PL100206, August 18, 2011]

Comment: Not applicable

9. In addition to provisions in policy 8 above, high-rise buildings may be considered in the following locations, provided all other policies of this Plan have been met:

- a. Within areas characterized by high-rise buildings that have direct access to an arterial road, or;
- b. Within 600 metres of a rapid transit station as identified on Schedule D, or;
- c. Where a community design plan, secondary plan, or other similar Council-approved planning document identifies locations suitable for the creation of a community focus on a strategic corner lot, or at a gateway location or on a terminating site to strategic view, or a site that frames important open spaces, or at a location where there are significant opportunities to support transit at a transit stop or station by providing a pedestrian and transit-oriented mix of uses and activities, or;
- d. Within areas identified for high-rise buildings where these building profiles are already permitted in the Zoning By-law approved by Council, or;
- e. Within areas where a built form transition as described in policy 12 below is appropriate.

[Amendment #76, OMB File #PL100206, August 18, 2011]

Comment: Not applicable

10. Building heights greater than those identified in Section 3.6.3 on Mainstreets may be considered in the same circumstances as described in policy 9 above. [Amendment #76, OMB File #PL100206, August 18, 2011]

Comment: Not applicable

11. A high-rise building will be considered both as an example of architecture in its own right and as an element of urban design sitting within a wider context. In this regard, the City will consider proposals submitted for High-Rise buildings in light of the following measures:

- a. How the scale, massing and height of the proposed development relates to adjoining buildings and the existing and planned context for the surrounding area in which it is located;
- b. How the proposal enhances existing or creates new views, vistas and landmarks;
- c. The effect on the skyline of the design of the top of the building;

- d. The quality of architecture and urban design, particularly as expressed in Council-approved design guidelines; and
- e. How the proposal enhances the public realm, including contribution to and interaction with its surroundings at street level (e.g. the provision of publicly accessible landscaped area, amenity space and pedestrian respite areas, street trees, public art, active land use frontages, legible entrances and views to the street, canopies, awnings and colonnades for continuous weather protection).

[Amendment #76, OMB File #PL100206, August 18, 2011]

Comment: Not applicable

12. A high-rise building will be considered both as an example of architecture in its own right and as an element of urban design sitting within a wider context. In this regard, the City will consider proposals submitted for High-Rise buildings in light of the following measures:

- a. How the scale, massing and height of the proposed development relates to adjoining buildings and the existing and planned context for the surrounding area in which it is located;
- b. How the proposal enhances existing or creates new views, vistas and landmarks;
- c. The effect on the skyline of the design of the top of the building;
- d. The quality of architecture and urban design, particularly as expressed in Council-approved design guidelines; and
- e. How the proposal enhances the public realm, including contribution to and interaction with its surroundings at street level (e.g. the provision of publicly accessible landscaped area, amenity space and pedestrian respite areas, street trees, public art, active land use frontages, legible entrances and views to the street, canopies, awnings and colonnades for continuous weather protection).

[Amendment #76, OMB File #PL100206, August 18, 2011]

Comment: Not applicable

13. A high-rise building will be considered both as an example of architecture in its own right and as an element of urban design sitting within a wider context. In this regard, the City will consider proposals submitted for High-Rise buildings in light of the following measures:

- a. How the scale, massing and height of the proposed development relates to adjoining buildings and the existing and planned context for the surrounding area in which it is located;
- b. How the proposal enhances existing or creates new views, vistas and landmarks;
- c. The effect on the skyline of the design of the top of the building;

- d. The quality of architecture and urban design, particularly as expressed in Council-approved design guidelines; and
- e. How the proposal enhances the public realm, including contribution to and interaction with its surroundings at street level (e.g. the provision of publicly accessible landscaped area, amenity space and pedestrian respite areas, street trees, public art, active land use frontages, legible entrances and views to the street, canopies, awnings and colonnades for continuous weather protection).

[Amendment #76, OMB File #PL100206, August 18, 2011]

Comment: Not applicable

14. A high-rise building will be considered both as an example of architecture in its own right and as an element of urban design sitting within a wider context. In this regard, the City will consider proposals submitted for High-Rise buildings in light of the following measures:

- a. How the scale, massing and height of the proposed development relates to adjoining buildings and the existing and planned context for the surrounding area in which it is located;
- b. How the proposal enhances existing or creates new views, vistas and landmarks;
- c. The effect on the skyline of the design of the top of the building;
- d. The quality of architecture and urban design, particularly as expressed in Council-approved design guidelines; and
- e. How the proposal enhances the public realm, including contribution to and interaction with its surroundings at street level (e.g. the provision of publicly accessible landscaped area, amenity space and pedestrian respite areas, street trees, public art, active land use frontages, legible entrances and views to the street, canopies, awnings and colonnades for continuous weather protection).

[Amendment #76, OMB File #PL100206, August 18, 2011]

Comment: Not applicable

6.2 Zoning change consistent with subdivision design

The proposed zoning change to permit single family and semi detached units within the AM9 zone (which currently permits townhouses but not single family detached or semi detached units) is born out of the type of road design being proposed; the proposed use of a cul de sac makes it difficult to accommodate proper driveway widths and ideal unit street orientation unless singles and semis are utilized on such cul de sacs; as such, in order to achieve the best possible streetscape, it is recommended that singles and semis be permitted for this portion of the property.

7. Conclusion

The proposed development is consistent with the policies of the Official Plan as discussed in this report.

The proposed zoning change to add single family detached and semi detached units as permitted uses is reasonable given the proposed use of a cul de sac as discussed in this report.

The proposed zoning change from AM9 to O1R for the small portion of the property that overlaps with the O1R zone appears to be justified based on consultations between the proponent's engineer and the MVCA.

Appendix A: Existing Zoning

Appendix A Zoning downloaded April 17 2018

AM - Arterial Mainstreet Zone (Sec. 185-186)

Purpose of the Zone

The purpose of the AM – Arterial Mainstreet Zone is to:

	(1)	accommodate a broad range of uses including retail, service commercial, offices, residential and institutional uses in mixed-use buildings or side by side in separate buildings in areas designated Arterial Mainstreet in the Official Plan; and
	(2)	impose development standards that will promote intensification while ensuring that they are compatible with the surrounding uses.

185.	In the AM Zone:

Permitted Non-Residential Uses

	(1)	The following non-residential uses are permitted subject to:
	(a)	the provisions of subsections 185(3) to (5), and
	(b)	amusement park being located within a building;
		amusement centre amusement park animal care establishment animal hospital artist studio automobile dealership automobile rental establishment automobile service station bank bank machine bar broadcasting studio car wash catering establishment

		<p>cinema</p> <p>click and collect facility (By-law 2016-289)</p> <p>community centre</p> <p>community health and resource centre</p> <p>convenience store</p> <p>day care</p> <p>diplomatic mission, see Part 3, Section 88</p> <p>drive-through facility</p> <p>emergency service</p> <p>funeral home</p> <p>gas bar</p> <p>hotel</p> <p>instructional facility</p> <p>library</p> <p>medical facility</p> <p>municipal service centre</p> <p>museum</p> <p>nightclub</p> <p>office</p> <p>park</p> <p>parking garage</p> <p>payday loan establishment (By-law 2017-302)</p> <p>personal service business</p> <p>place of assembly</p> <p>place of worship</p> <p>post office</p> <p>production studio</p> <p>recreational and athletic facility</p> <p>research and development centre</p> <p>residential care facility (By-law 2011-273)</p> <p>restaurant</p> <p>retail food store</p> <p>retail store</p> <p>school</p> <p>service and repair shop</p> <p>small batch brewery, see Part 3, Section 89</p> <p>sports arena</p> <p>technology industry</p>

		<p>theatre</p> <p>training center</p> <p>urban agriculture, <i>see Part 3, Section 82</i> (By-law 2017-148)</p>
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Permitted Residential Uses

	(2)	<p>The following residential uses are permitted:</p>
		<p>apartment dwelling, low rise</p> <p><i>apartment dwelling, mid-high rise (Subject to By-law 2014-292)</i></p> <p>bed and breakfast, <i>see Part 5, Section 121</i></p> <p>dwelling unit</p> <p>group home, <i>see Part 5, Section 126</i></p> <p>home-based business, <i>see Part 5, Section 127</i></p> <p>home-based day care, <i>see Part 5, Section 129</i></p> <p>planned unit development, <i>see Part 5, Section 131</i></p> <p>retirement home</p> <p>retirement home, converted, <i>see Part 5, Section 122</i></p> <p>rooming house</p> <p>rooming house, converted, <i>see Part 5, Section 122</i></p> <p>rooming unit</p> <p>stacked dwelling, <i>see Part 5, Section 138 (By-law 2010-307)</i></p> <p>townhouse dwelling, <i>see Part 5, Section 138</i> (By-law 2012-334) (By-law 2010-307) (By-law 2014-189)</p>

Zone Provisions		
	(3)	The zone provisions are set out in Table 185 below.

TABLE 185 - AM ZONE PROVISIONS

I ZONING MECHANISMS		II PROVISIONS
(a) Minimum lot area		No minimum
(b) Minimum lot width		No minimum

I ZONING MECHANISMS		II PROVISIONS
(c) Front yard and corner side yard	(i) non-residential or mixed-use buildings	Minimum
	(ii) residential use building	Minimum 3 m
(d) Minimum interior side yard	(i) abutting a residential zone	7.5 m
	(ii) all other cases	No minimum

I ZONING MECHANISMS		II PROVISIONS
(e) Minimum rear yard	(i) abutting a street	3 m
	(ii) rear lot line abutting a residential zone	7.5 m
	(iii) for a residential use building	7.5 m
	(iv) all other cases	No minimum

<div> <div>I</div> <div>ZONING MECHANISMS</div> </div>	<div> <div>II</div> <div>PROVISIONS</div> </div>
<div>(f) Maximum building height</div>	<div> <div>(i) in any area up to and including 20 metres from a property line abutting a R1, R2 or R3 residential zone (By-law 2011-124)</div> <div>11 m</div> </div>
	<div> <div>(ii) in any area up to and including 20 metres from a property line abutting a R4 zone (By-law 2011-124)</div> <div>15 m</div> </div>
	<div> <div>(iii) in any area over 20 metres and up to and including 30 metres from a property line abutting a R1, R2, R3 or R4 zone (By-law 2011-124)</div> <div>20 metres, or as shown on the zoning map</div> </div>
	<div> <div>(iv) more than 30 metres from a property line abutting a R1 – R4 zone</div> <div>30 metres but in no case greater than nine storeys, or as shown on the</div> </div>

I ZONING MECHANISMS	II PROVISIONS
	zoning map (By-law 2015-45)
(v) in all other cases	30 metres but in no case greater than nine storeys, or as shown on the zoning map (By-law 2015-45)
(g) Maximum building height for AM, AM1, AM4 and AM5 zones, on specific street segments as noted below: (By-law 2015-45)	25 metres, or as shown on the zoning map
Street Segments	i) Baseline Road from St. Helen's Place to Merivale Road ii) Merivale Road from Baseline Road to Caldwell Avenue iii) Clyde Avenue from Doherty Street to Highway 417 iv) Bronson Avenue from Carling Avenue to Kippewa Drive v) St. Laurent Blvd. from VIA Rail right-of-way to Queen Mary Street vi) Michael Street from Tremblay Road to Kenaston Street

<div> <div>I</div> <div>ZONING MECHANISMS</div> </div>	<div> <div>II</div> <div>PROVISIONS</div> </div>
	<div> <div> <div>vii) Ogilvie Road from St. Laurent Blvd. to Cyrville Road</div> <div>viii) Brittany Drive from Montreal Road to Kristin Way</div> <div>ix) Montreal Road from Shefford Road to Regional Road 174</div> <div>x) Innes Road from Page Road to Tenth Line Road</div> <div>xi) Bank Street from VIA Rail right-of-way to Walkley Road</div> <div>xii) Bank Street from Walkey Road to Rail right-of-way (South of Ledbury Ave.)</div> <div>xiii) Bank Street from Rail right-of-way (South of Ledbury Ave.) to Lester Road</div> </div> </div>
<div> <div>(h) Maximum floor space index (By-law 2015-45)</div> </div>	<div> <div> <div> <div>(i) for AM, AM1, AM4 and AM5 zones, on specific street segments as noted in clause (g) above</div> <div> <div>1. if 80% or more of the required parking is provided below grade</div> <div>3.5</div> </div> </div> <div> <div>2. in all other cases</div> <div>2, unless otherwise shown</div> </div> </div> </div>

I ZONING MECHANISMS			II PROVISIONS		
	(ii) in all other cases	none			
(i) Minimum width of landscaped area around a parking lot			see Section 110 – Landscaping Provisions for Parking Lots		
	(4) Outdoor storage is permitted subject to:				

	(a)	being located in an interior side yard or rear yard;
	(b)	being completely enclosed and screened from a public street, and from residential or institutional zone; and
	(c)	the provisions of subsection 185(4) (b) above does not apply to automobile dealership .
(5)	For other applicable provisions, see Part 2 – General Provisions, Part 3 – Special Use provisions, and Part 4 – Parking and Loading Provisions.	
(6)		<i>(Introduced by By-law 2014-292)</i>

AM Subzones

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AM9 Subzone

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(9)	In the AM9 Subzone:	
	(a)	the minimum rear yard setback for a non-residential or mixed-use building is 10 metres.
	(b)	the maximum permitted building height is 11 metres within 20 metres of a residential zone, and 15 metres in all other cases.
	(c)	a minimum of:
	(i)	50% of the lot width within 3 metres of the front lot line, must be occupied by building walls if the lot is less than 90 metres wide.
	(ii)	30% of the lot width within 3 metres of the front lot line, must be occupied by building walls if the lot is 90 metres in width or wider.
	(d)	Clause (c) does not apply to a lot containing only an automobile dealership, automobile rental establishment, automobile service station, or gas bar, but a maximum front yard setback of 3 metres shall apply to any building containing these uses.
	(e)	Despite (c) and (d), in the case of high voltage power lines present near the front lot line the distance of 3 metres set out within (c)(i) and (c)(ii) and the maximum front yard setback in (d) is increased to 5 metres with respect to that portion of the building wall affected by the high voltage power lines.

	(f)	In the case of a phased development where all phases are shown on a site plan approved pursuant to Section 41 of the Planning Act, each phase itself does not have to comply with subsection (c) above, provided that those requirements are satisfied upon the completion of all phases of development.
	(g)	For a lot containing a non-residential or mixed use building, the minimum required width of a landscaped area along a lot line is:
	(i)	where abutting a residential zone: 10 metres and an opaque screen with a minimum height of 1.5 metres must be provided between the residential zone and landscaped area;
	(ii)	where it is the rear lot line and it abuts a non-residential zone: 5 m
	(iii)	in all other cases: no minimum, except that where a yard is provided and not used for required driveways, aisles, parking, loading spaces or outdoor commercial patio, the whole yard must be landscaped.
	(h)	outdoor storage accessory to the use on the lot,
	(i)	is prohibited in a front yard, and
	(ii)	Is permitted in all other yards provided it is concealed from view from abutting streets and non-commercial zones, and provided it does not cover more than 20% of the lot area.
	(i)	the lot line abutting Hazeldean Road is considered to be the front lot line

	(j)	the minimum number of parking spaces required for a shopping centre may be reduced by the number of on-street parking spaces that are located within 12 metres of the lot on which a shopping centre is located. (By-law 2014-27)
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O1 - Parks and Open Space Zone (Sec. 179-180)

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Purpose of the Zone

The purpose of the O1-Parks and Open Space Zone is to:

	(1)	<i>permit parks, open space and related and compatible uses to locate in areas designated as General Urban Area, General Rural Area, Major Open Space, Mixed Use Centre, Village, Greenbelt Rural and Central Area as well as in Major Recreational Pathway areas and along River Corridors as identified in the Official Plan, and</i>
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	(2)	<i>ensure that the range of permitted uses and applicable regulations is in keeping with the low scale, low intensity open space nature of these lands.</i>
179.	In the O1 Zone:	

Permitted Uses

	(1)	The following uses are permitted subject to:
	(a)	the provisions of subsection 179(2).
		environmental preserve and education area park urban agriculture, see Part 3, Section 82 (By-law 2017-148)
	(b)	a retail food store, limited to a farmer's market is a permitted use in the O1A, O1B, O1D, O1E, O1F, O1G, O1H subzones, subject to:

		(i)	no building or structure other than one farmer's market stand is permitted;
		(ii)	the farmer's market stand is not subject to the primary or subzone provisions, however the maximum height is 3.5 metres and the maximum size of the farmer's market stand is 28 square metres, and;
		(iii)	a farmer's market stand may only be located in a parking lot or in a front or corner side yard. (By-law 2016-135)

Zone Provisions

	(2)	The zone provisions are set out in Table 179 below.	

TABLE 179 - O1 ZONE REGULATIONS

I

II

Zoning Mechanisms	Zone Provisions
(a) Minimum Lot Width (m)	No minimum
(b) Minimum Lot Area (m ²)	No minimum
(c) Minimum Front Yard Setback (m)	7.5
(d) Minimum Rear Yard Setback (m)	
(e) Minimum Interior Side Yard Setback (m)	
(f) Minimum Corner Side Yard Setback (m)	
(g) Maximum Height (m)	11
(h) Maximum Lot Coverage (%)	20

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	(3)	For other applicable provisions, see Part 2- General Provisions, Part 3 -Specific Use Provisions and Part 4-Parking, Queuing and Loading Provisions.
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O1 SUBZONES

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O1R SUBZONE

(18)	In the O1R Subzone, the following uses only are permitted:
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		environmental preserve and education area forestry operation