



ZONING BY-LAW AMENDMENT

Proposed Assembly Hall – Hindu Temple of Ottawa-Carleton



PLANNING RATIONALE | 4835 Bank Street, Ottawa



Prepared for:

Hindu Temple of Ottawa-Carleton Inc.
4835 Bank Street, Ottawa
ON K1X 1G6

Prepared by:

Lloyd Phillips & Associates Ltd.
File: 1713
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APPENDIX A: Legal Non-Complying Parking

1. OVERVIEW

Lloyd Phillips & Associates Ltd. has been retained by the Hindu Temple of Ottawa-Carleton Ltd. (the 'Owner') to prepare a Planning Rationale report for the application of a major Zoning By-law Amendment for the property known municipally as 4835 Bank Street.

The Hindu Temple of Ottawa-Carleton (the 'Temple') has existed at 4835 Bank Street since 1985. Since then, the Temple has catered to the religious and spiritual needs of Ottawa's Hindu community by providing worship space and religious services performed by Temple staff under the guidance and management of a Board of Trustees.

When the Temple was first envisioned by its founders, the plan was to eventually provide, as deemed necessary, an assembly hall on the site to complement the worship component of the Temple by providing adequate space for gatherings of the Hindu community and congregation during annual festivals and community celebrations.

As a result of the growth over the last 30 years of the Hindu community, the time has arrived for proceeding with an assembly hall. To this end, the Owner is proposing a new assembly hall on the existing Temple site, to the east of the existing parking lot.

The proposed assembly hall, which is envisaged as a stand-alone building, will continue to provide the same core services as are being provided in the existing Temple, with the exception of a deity space for worship (the existing Temple will continue to provide the only deity space for worship).

The additional space in the proposed assembly hall building will allow the Owner the flexibility to offer additional space for more groups and Temple services than can currently be adequately provided within the existing Temple building.

Although the site's zoning permits a place of worship, an assembly hall, defined as a Place of Assembly, is currently not permitted. As such, the proposed major rezoning is intended to permit the development of an assembly hall so that the Hindu Temple of Ottawa-Carleton can continue to provide the religious and spiritual services to the City of Ottawa's growing Hindu community.

The rezoning will also include relief from two performance standards with respect to the minimum required setback from a watercourse and the minimum required interior side yard setback.

Following the rezoning, it is intended that an application for Site Plan Control will be submitted.

2. SITE AND SURROUNDING CONTEXT

2.1 Site Context

The site currently contains the existing Temple which was built in 1985 and consists of a single storey building with a raised plinth and a lower-level basement. The Temple has a building footprint of 1,063 m², while the existing garage on site has a footprint of 105 m².

The property fronts onto the east side of Bank Street and has the general shape of a rectangle. The western half of the site is developed and contains the existing Temple, a surface parking lot, a mix of vegetative landscaping, and an area of clean fill which was pushed eastwards during the grading and development of the site and parking lot in the mid-1980s.

The eastern half of the property is vacant and contains a narrow watercourse with a gentle north-south meander through the site. Beyond this watercourse, to the east, is a forested area with a mix of mature trees that extend back to the rear property line.

The site consists of the following legal description and lot dimensions:

- CON 5 RF PT LOT 22 RP; 5R-3156 PARTS 1 & 2 KNOWN AS HINDU TEMPLE OF OTTAWA-CARLETON
- PIN: 04326-0011
- Area: 40,480 m² (4.048 ha)
- Frontage: 101.92 m
- Depth: 401.50 m (average)
- Width: 101.94 m (average)

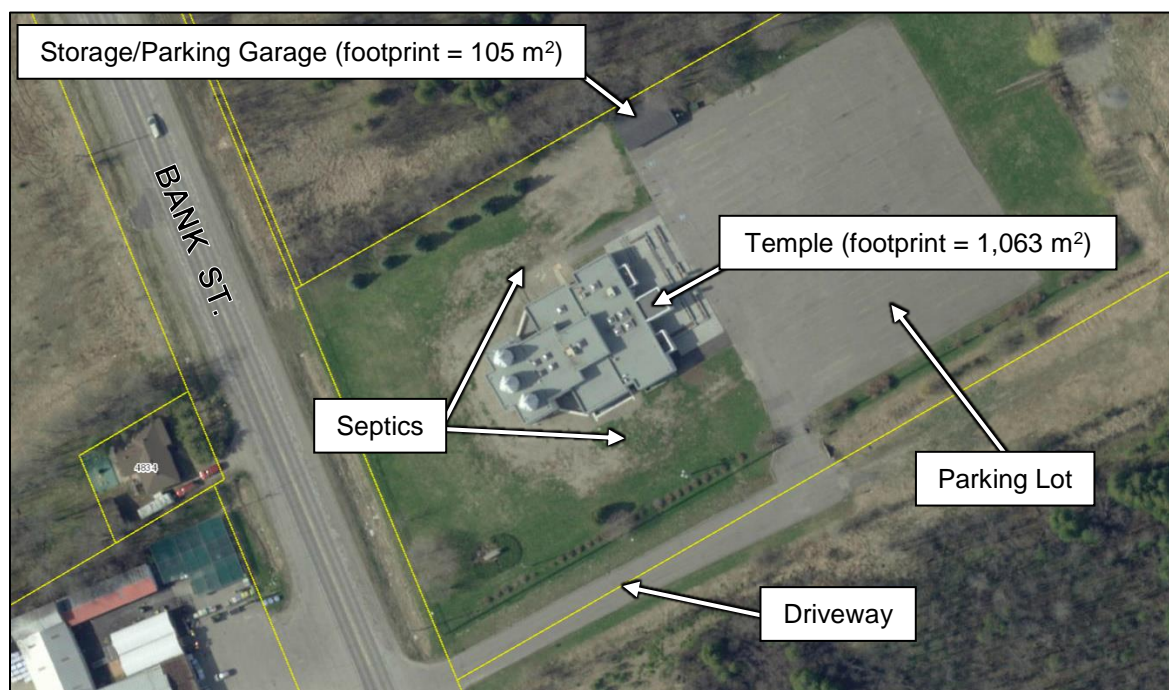


Figure 1. Developed western half of the site.



Figure 2. Site context.

2.2 Surrounding Context

The site is located in the City's Rural Policy Area along the east side of Bank Street, which is immediately east of the City's Urban Policy Area. This places the site within Ward 20 – Osgoode and adjacent to Ward 22 – Gloucester-South Nepean. The general location of the site is adjacent to the south edge of the Leitrim urban community and 3.5 km north of the Village of Greely.

Immediately west of the site is Bank Street, followed by a small Home Hardware commercial establishment. To the immediate north of the site is a commercial sales lot for camping trailers. To the immediate east and south of the site is vacant forested land.

The lands north and west of the site have experienced a modest level of growth since the construction of the existing Temple in 1985. This growth, especially residential in the Findlay Creek community, has increased in recent years as the City's urban boundary has moved southward through Leitrim, providing City services for areas that previously existed as large vacant tracts of land. To accommodate this growth, and future anticipated growth, the City has proposed plans to widen and modify Bank Street.

This widening of Bank Street from two to four lanes will include the portion of roadway from Leitrim Road to beyond the subject site. This portion of work is to take place between 2020 and 2025, and is to include a left turn lane accessible to the subject site (see Figure 3 below). A follow-up phase for 2026 to 2031 is to widen Bank Street further south.

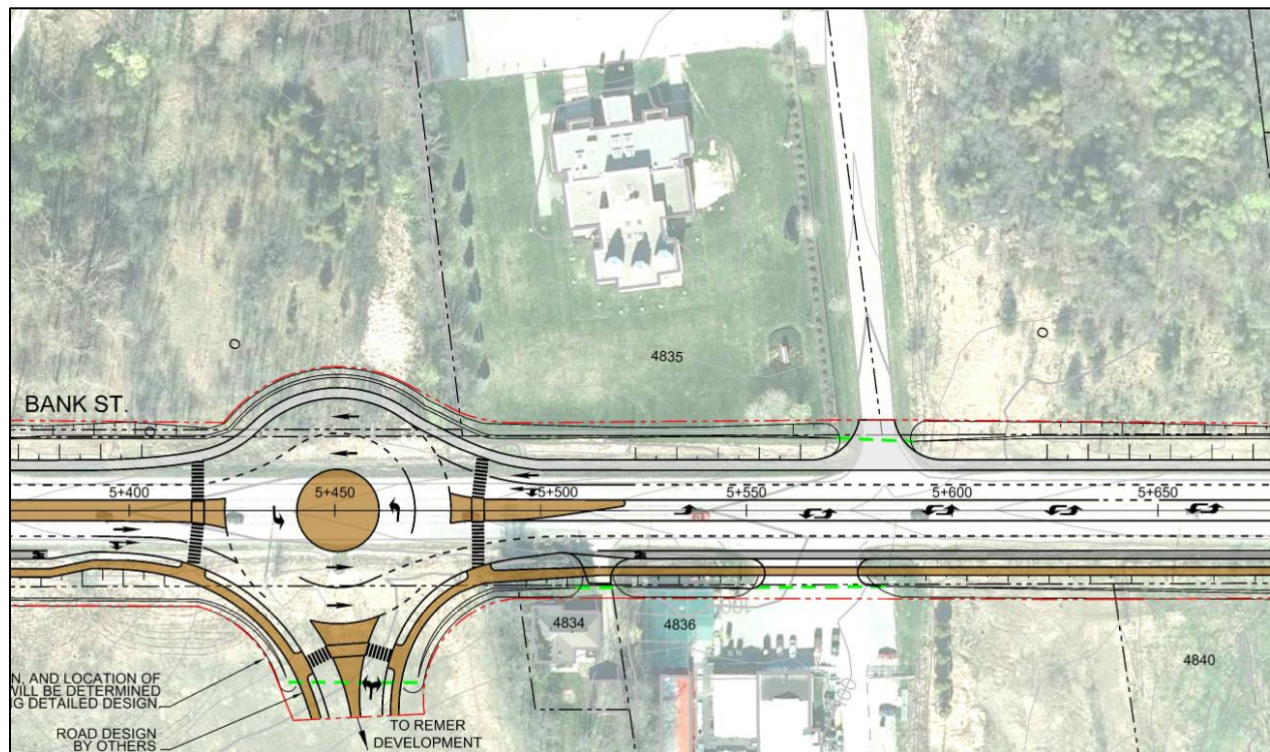


Figure 3. Schematic of the proposed Bank Street widening adjacent the site.



Figure 4. Location Plan.



Figure 5. Facing north along Bank Street from the site's entrance.



Figure 6. Facing south along Bank Street from the site's entrance.



Figure 7. Facing west towards Home Hardware from the site entrance.



Figure 8. Facing south along Bank Street.



Figure 9. Facing north along Bank Street.



Figure 10. Facing northeast towards the Temple.



Figure 11. Facing west towards the parking lot and rear of the Temple.



Figure 12. Facing east towards the forested portion of the site.



Figure 13. Facing west towards the rear of the Temple from the site's forested area.

3. PROPOSED DEVELOPMENT

The proposal is for an assembly hall to the east of the existing parking lot on the Temple site. A Zoning By-law Amendment is required in order to permit a place of assembly use on the site and for relief from certain performance standards.

Following the proposed rezoning, an application for Site Plan Control (SPC) is expected to be submitted. The Owner's preference is to file the rezoning and SPC applications separately. As such, for the propose of the rezoning application, the proposed assembly hall is presented as a concept that is expected to be refined with respect to building and site design once the Owner is prepared to file for a SPC application.

The proposed assembly hall will have an architectural style that will reflect and be compatible with the distinctive Temple architecture and its complementary landscaping. The assembly hall is to offer the same services as the main Temple building, with the exception of the sanctuary hall for idols and deity worship. The assembly hall building will have an approximate footprint of 2,000 m² and an assembly space gross floor area of 1,200 m².

The existing Temple is serviced by City water and private septic. The proposed assembly hall will be serviced by City water, and will require a new septic system separate from the existing Temple's. Given the site's location along the boundary of the City's urban settlement area, the conceptual site design has allowed for the future potential connection of City sanitary services.

The assembly hall will be accessed and serviced by the same driveway and parking lot as what currently exists for servicing the Temple. The site's driveway connects to the east side of Bank Street along a portion containing a protected right-of-way (ROW) of 40 m.

The existing vehicle parking on the site will be adequate for meeting the minimum requirements of the Zoning By-law (see Table 3 on Page 24 for the parking calculation). The existing parking lot layout will be modified to allow for added landscaping and improved site functionality. The re-arrangement of the parking lot will also allow for additional barrier-free parking and the provision of a landscaped pedestrian pathway linking the Temple and proposed assembly hall.

With respect to public transit, the site is serviced by OC Transpo Route #304 and #93 (Sunday's only) at Stop #1069, which is located on the south side of the driveway entrance of the site.

With respect to pedestrian connectivity, the site is located in the City's urban-rural fringe, and the surrounding pedestrian infrastructure reflects this context (i.e., no City sidewalks or pathways along this portion of Bank Street). Internally, the proposed assembly hall will include pathways through the landscaped setback from the existing watercourse to it's east, as well as a landscaped pathway that bisects the parking lot and provides a direct pedestrian connection between the existing Temple and proposed assembly hall.

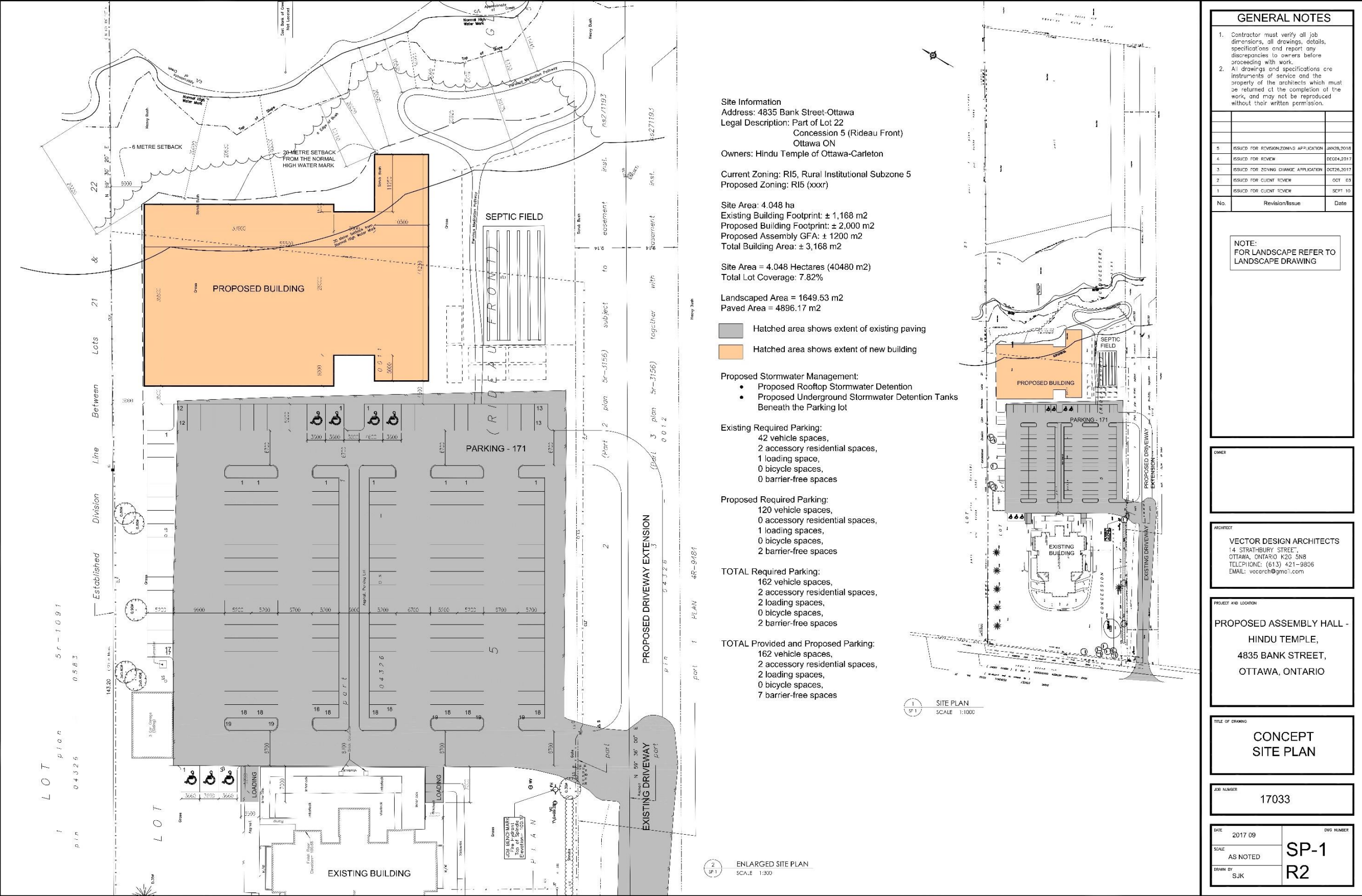


Figure 14. Concept Site Plan

4. PROVINCIAL POLICY STATEMENT, 2014

The Provincial Policy Statement, 2014 (PPS) provides policy direction on planning matters for the Province of Ontario. Decisions affecting all planning matters shall be consistent with the Provincial Planning Policies. The proposed rezoning to permit an assembly hall at 4835 Bank Street is consistent with the policies of the PPS as demonstrated below.

Policies:

Section 1.1.1 of the PPS sets out the criteria whereby healthy, livable, and safe communities are sustained. In short, these are: to promote efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; avoiding development and land use patterns which may cause environmental or public health and safety concerns; promote cost-effective development patterns; improve accessibility for persons with disabilities and older persons by identifying, preventing, and removing land use barriers which restricts their full participation in society; ensuring there is necessary infrastructure; and, promoting development and land use patterns that conserve biodiversity.

Section 1.5.1 of the PPS states that healthy, active communities should be promoted by: planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity.

In the above policies, there is a large emphasis on efficient development that is safe, compatible and complementary, respects the natural environmental, uses available infrastructure, and provides for the needs of the community both in the short term and long term.

- The proposed assembly hall will provide a desirable use of vacant land that is highly compatible with and complementary to the site's existing Temple.
- The proposal will consist of a safe pedestrian environment that is accessible, well-lit and easily navigable with clearly identified entrances and walkways.
- The proposal will include an architectural style and landscaping reflective of the existing Temple, which will serve both an aesthetic and functional purpose (the use of riparian vegetation and low-impact development to improve the quality and lower the quantity of stormwater, as well as improve slope stability).
- The proposal respects the natural environment by providing a vegetated buffer between the assembly hall and the watercourse that bisects the site in a north-south direction.
- The proposal will remove barriers to opportunities for social interaction through religious festivities and activities associated with Ottawa's growing Hindu community.

Section 2.1.2 of the PPS states that 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 assembly hall is to be located on land that currently contains manicured grass and fill that was deposited east of the existing parking lot when the site was developed in the 1980s.

The assembly hall will be appropriately setback from the north-south watercourse that runs through the site to the east of the deposited fill. The minimum setback will be 20 metres from the normal highwater mark and 13 metres from the top of bank. Contained within the setback will be a landscaping program consisting of riparian vegetation and low-impact development (LID) technologies (i.e., rain garden / bioswales) designed to treat the quality and reduce the quantity of stormwater run-off, and to improve slope stability.

An Environmental Impact Statement (EIS) was prepared by Muncaster Environmental Planning Inc. as part of the required submission documents for the rezoning application. The EIS concluded that the proposed setback and LID measures would represent an adequate buffer between the proposed assembly hall and the existing natural features of the site, which includes the watercourse and woodlands and their respective habitats for endangered and threatened species.

The proposal is consistent with Policies 2.1 and 2.2 of the PPS, 2014.

5. OFFICIAL PLAN

Schedule A of the City of Ottawa Official Plan designates the site at 4835 Bank Street General Rural Area with a small portion to the east designated as Rural Natural Features Area.

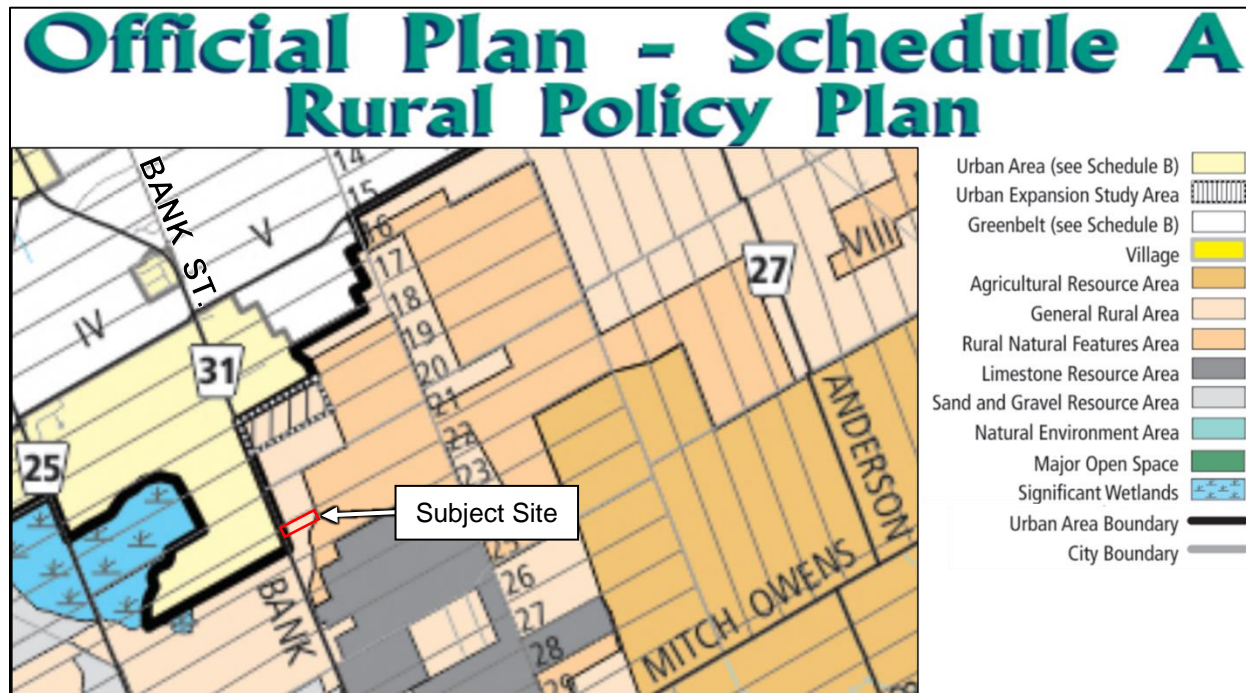


Figure 15. Excerpt of Official Plan Schedule A

5.1 Section 3.7.2 – General Rural Area

The General Rural Area contains and permits a variety of land uses. The intent of this designation is to accommodate a variety of land uses that are appropriate for a rural location.

Policies:

1. General Rural Areas are designated on Schedule A with the intent to provide:
 - a. A location for agriculture and for those non-agricultural uses that, due to their land requirements or the nature of their operation, would not be more appropriately located within urban or Village locations;
 - b. For a limited amount of residential and other rural and tourist service uses that do not conflict with a) above.

The proposed rezoning will permit an assembly hall at 4835 Bank Street. The existing Temple has been located on the site since 1985. Since then, the area has become increasingly urbanized, as demonstrated by the General Urban Area designation and proposed subdivisions directly across Bank Street from the site. The proposal would not be more appropriately located within urban or nearby Village locations, as the existing site is already zoned and functioning as a form of institutional land use that contains ample space and parking for the proposal, and that would represent a complementary and compatible land use that fits well and works well with the proposal.

Environmental Impact Statement

2. Development proposals within the General Rural Area may impact on natural heritage features that are not designated in this plan. Development and site alteration as defined in Section 4.7.8 will not be permitted for:
 - a. Any development permitted under the policies of this plan within the feature;
 - b. Any development permitted under the policies of this plan within 120 metres of the boundary of a natural heritage feature;

unless an Environmental Impact Statement demonstrates that there will be no negative impacts as defined in Section 4.7.8 on the natural features within the area or their ecological functions. The requirements of the Environmental Impact Statement may vary, as described in Section 4.7.8.

Although Schedule A of the Official Plan appears to designate a small portion of the site as Rural Natural Features Area, Schedule L1 of the Official Plan shows that the site is not subject to the Identified Natural Heritage System Features Overlay (see Figure 16).

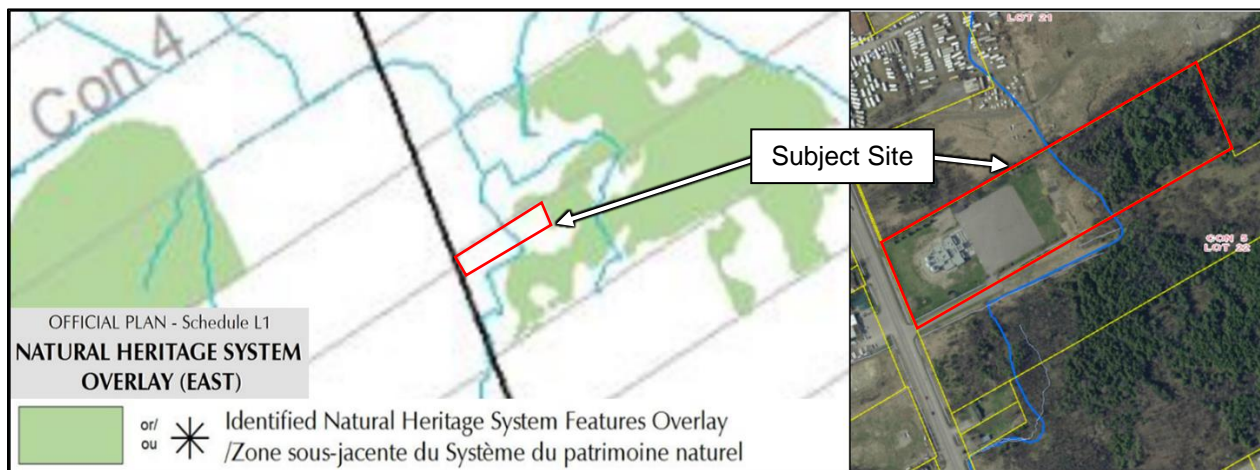


Figure 16. Excerpt of Official Plan Schedule L1

An EIS has been requested by the City as part of the submission for rezoning. The submitted EIS concluded that the proposed rezoning to permit an assembly hall is not anticipated to have any adverse impact on the natural features of the site provided the mitigation measures in the report are properly implemented.

The report acknowledges the minimum required setback from a watercourse as prescribed in the City's Zoning By-law, which indicates the greater of 30 metres to the normal highwater mark or 15 metres to the top of bank. The report states that through appropriate mitigative measures (i.e., riparian vegetation) relief to these setbacks would be reasonable.

5. A zoning by-law amendment will be required where any of the following uses are proposed in General Rural Areas or by country lot subdivision as provided for in policy 7 below:
 - f. New institutional uses such as places of worship and schools should ideally be located within a Village but may be considered in close proximity to a Village where Village land

is insufficient or inappropriate. The expansion of existing institutional uses will be evaluated on their merits and by those matters included in policy 6 below; [Amendment #76, August 04, 2010]

The proposed rezoning is to permit a new institutional use on a property zoned for institutional use. Currently, the property is zoned RI5 – Rural Institutional Subzone 5 which permits a place of worship, but not a place of assembly. The proposal is to rezone the site to add a place of assembly as a permitted land use, which represents an appropriate development to be co-located with the existing Temple.

6. When considering an application to amend the zoning by-law to permit a new use identified in policy 5 of this subsection, the following matters must be considered: [Amendment #76, August 04, 2010]
 - a. The use would not be better located in a Village or the urban area;

The proposed rezoning to permit a place of assembly at 4835 Bank Street is an appropriate use of the land. The proposed assembly hall would not be better located in a nearby Village or the urban area as its intended function and significance will work best and fit best on the large Temple property which already contains ample space for the development as well as available parking. Co-locating the assembly hall with the existing Temple represents a desirable, functional and compatible use of land.

It should be noted that the site is located adjacent to the City's urban area, and is within 3.5 kilometres of the Village of Greely. The lands to the west of the site are subject to proposed subdivisions that will continue to further urbanize this area of the City.

- b. If the use is to be located on a local road, it must be demonstrated that the volume and pattern of traffic flow anticipated from the development will not interfere with the proper functioning of the local road network;

The proposal is located on an arterial road (Bank Street) and not a local road. The portion of roadway where the site fronts onto Bank Street, is scheduled to be widened and provided with a left turn lane that would service the subject site.

- c. The privacy of adjacent landowners or the amelioration of potential adverse impacts from lighting, noise, odour, dust or traffic can be achieved by separating the land uses, buffering or other measures as part of the development;

The land to the south and east of the site is vacant forested land followed by rural industrial and commercial type land uses. To the north and west of the site are rural industrial and commercial type land uses. None of the lands surrounding the site represent sensitive land uses that would be impacted by the proposed rezoning to permit a place of assembly.

The proposed assembly hall is not expected to be adversely impacted by the existing surrounding land uses, as the site contains large yards, densely vegetated property lines,

and the existing Temple has compatibly co-existed with the neighbouring land uses since 1985.

- d.** The potential for reducing possible impacts on neighbouring agricultural uses or nearby rural residential or Village communities, where relevant;

The site is not within proximity of any agricultural operations, and so no impacts on such land uses is expected.

The site is within proximity to two rural residential properties to it's south along Bank Street, but given the separation distance (100 metres consisting of forested vacant land under separate ownership) it is not expected to adversely impact them.

The City of Ottawa urban area boundary is located immediately west of the site, while the Village of Greely is approximately 3.5 kilometres south of the site. The proposal is not expected to have any adverse impacts on either of these settlement areas as Bank Street is scheduled to be widened from two to four lanes, and the most appropriate location for the proposed use is on the same site as the existing Temple.

- e.** The development is in keeping with the surrounding rural character and landscape;

Given the size of the property and the intended use of the land, the proposal represents a development that is in keeping with the surrounding rural character and landscape of the City's urban-rural fringe (i.e., large properties with ample frontage, provided yards, and parking). As well, the area east of the watercourse is to remain undeveloped for the foreseeable future.

- f.** All those requirements of Sections 2 and 4 related to transportation, servicing, design and compatibility and environmental protection;

The proposed rezoning for the intended development of an assembly hall conforms to the policies of Sections 2 and 4 related to transportation, servicing, design and compatibility and environmental protection.

The supporting studies and plans submitted with the rezoning application, and summarized in Section 7 of this report, demonstrate the proposal's conformity with the above noted Sections of the Official Plan.

- h.** The impact that the development will have on the protection of tree cover and local wildlife movement, as result of proposed site clearing and grading, fencing, security lighting, and other similar site plan matters.

The proposed rezoning is not expected to have any adverse impacts relating to tree cover and local wildlife movement.

15. Development proposals within 1 kilometre of a Village and/or urban boundary will be reviewed with respect to lot size, type of use and other characteristics, to ensure that they do not adversely limit potential expansion of the boundary at that location or create a long-term demand for the extension of municipal services. [Amendment #76, August 04, 2010] Notwithstanding the foregoing, a plan of subdivision is permitted on lands municipally known as 1175 Manotick Station Road and 471 Sangeet Place. [Amendment #85, May 26, 2010] [Amendment #114, May 28, 2013]

The site is not expected to limit potential expansion of the City's urban boundary or create a long-term demand for the extension of municipal services. The site exists within the City's urban-rural fringe and is located immediately across Bank Street from the City's urban boundary. The site is on private septic systems and has been serviced by City water since being developed in the 1980s. The proposed rezoning is site specific to permit a place of assembly which is intended to be serviced by City water and private septic.

5.2 Section 3.2.4 – Rural Natural Features

Lands designated Rural Natural Features are natural rural areas that contain significant woodlands, wetlands, and wildlife habitat as identified by the Natural Environment Systems Strategy in the 1990s. Uses permitted within lands designated Rural Natural Features are outlined in Section 3.7.2 – General Rural Area of the Official Plan.

Policies:

2. The boundaries of the Rural Natural Features are general and may not coincide with the boundaries of significant woodlands and other significant natural heritage features within the designation. [Amendment #76, OMB File # PL100206, July 21, 2011.]
4. The provisions of Section 3.7.2 for the General Rural Area also apply to Rural Natural Features. [Amendment #76, OMB File # PL100206, July 21, 2011.]
7. Development and site alteration will not be permitted for:
 - a. any development permitted under the policies of this Plan within the feature;
 - b. any development permitted under the policies of the Plan within 120 metres of the boundary of a natural heritage feature;

Unless an Environmental Impact Statement demonstrates that there will be no negative impacts as defined in Section 2.7.8 on the natural features within the area of their ecological functions. The requirements of the Environmental Impact Statement may vary, as described in Section 4.7.8. [Amendment #76, OMB File # PL100206, Ministerial Modification # 32, April 26, 2012]

The City requested that an EIS be submitted with the rezoning application. The submitted EIS reported that the proposed rezoning to permit an assembly hall will not have any adverse negative impact on the natural features of the site provided the mitigation

measures in the report are properly implemented (i.e., riparian vegetation and low-impact development).

As part of the submitted EIS report, fish habitat from the watercourse east of the proposed building site was assessed. The report acknowledges the minimum required setbacks from a watercourse as prescribed in City's Zoning By-law. The report states that through appropriate mitigative measures (i.e., riparian vegetation), relief to these setbacks would be reasonable and that a setback of the greater of 20 metres to the normal highwater mark or approximately 15 metres from the top of bank, is considered to be appropriate.

5.3 Section 4 – Review of Development Applications

Section 4 of the Official Plan deals with the review of development applications. Applicable policies from Section 4 are outlined below:

Section 4.7.8 – Environmental Impact Statement

Policies:

1. An Environmental Impact Statement is required for development and site alteration proposed within and adjacent to natural heritage features designated as Rural Natural Features [...].
2. No development or site alteration will be permitted within the natural features described in policy 1 above, where permitted by the policies of this Plan, or on adjacent lands unless an Environmental Impact Statement indicates it will have no negative impact [...]
3. Development is defined as creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act [...].
8. The need for an Environmental Impact Statement and its scope will be confirmed through preconsultation with the City early in the development review process, based on a preliminary screening for natural environment features within and adjacent to the study area. [...].

As confirmed by the City through pre-consultation, an EIS is required with the rezoning application due to the Rural Natural Features Area designation. The EIS is to address significant woodlands, and endangered and threatened species habitat.

An EIS addressing the above matters was prepared and submitted with the rezoning application and has provided development recommendations and conclusions that state no negative impacts to significant natural features are anticipated as a result of the rezoning and proposed assembly hall provided the mitigation measures in the report are properly implemented. Please see the report for further detail.

The proposed rezoning conforms to the applicable policies of the City of Ottawa Official Plan.

6. ZONING BY-LAW

In the City of Ottawa Zoning By-law 2008-250 the subject site is zoned R15 – Rural Institutional, Subzone 5. For over 30 years the Hindu Temple of Ottawa-Carleton has existed on the site as a permitted place of worship. In addition to a place of worship, the R15 Zone also permits a cemetery, day care and school.



Figure 17. Excerpt of the site's existing zoning

The purpose of the RI Zone is to:

- Permit a range of community-oriented and emergency service uses which serve the needs of the rural population in areas designated primarily as Village in the Official Plan;
- Permit a limited range of educational and religious-related institutional uses where they exist in areas designated General Rural Area and Agricultural Resource Area in the Official Plan; and,
- Ensure that future development will have a minimal impact on adjacent land uses and will respect the character of the surrounding village or rural areas.

6.1 Proposed Major Zoning Amendment

The primary purpose for the proposed rezoning of the site is to permit the use of a Place of Assembly. As such, the rezoning would permit the proposed assembly hall which is to be co-located on the existing Temple lands, and will act as a complementary use to the Temple.

A Place of Assembly is defined as: a place designed and used to accommodate gatherings of people such as clubs, karaoke bars, escape rooms, reception halls, conference centres, legion halls, assembly halls and lodges, and for events such as trade shows, banquets, and political or other conventions.

The rezoning is also required for relief from the following performance standards:

- Minimum required setback from a watercourse (Section 69)
 - **Required:** The greater of 30 metres from the normal highwater mark, or 15 metres from the top of bank.
 - **Proposed:** 20 metres from the normal highwater mark and 13 metres from the top of bank.
- Minimum required interior side yard (Section 224)
 - **Required:** 9 metres
 - **Proposed:** 6 metres

6.2 Proposed Zoning Exception

The proposed assembly hall meets the purpose of the RI Zone, as it provides a community-oriented service which serves the needs of the Hindu Community within and surrounding Ottawa. The assembly hall will help to accommodate the needs of the area's Hindu community without creating an adverse impact on adjacent land uses or the nearby Urban Area and Village of Greely.

The rezoning approach will not change the principal RI5 Zone, but instead, will propose a Rural Zoning Exception to permit the place of assembly use and to include provisions that permit the requested relief outlined above. The following tables provide the framework for the rezoning.

Table 1. Proposed Performance Standards of the RI5[xxxr] Zone

Zoning Mechanisms	Provisions	
	Required/Permitted	Proposed
(a) Minimum lot area (m ²)	10,000	40,480
(b) Minimum lot width (m)	75	101.94
(c) Minimum front yard setback (m)	9	± 35
(d) Minimum rear yard setback (m)	10	± 185
(e) Minimum interior yard setback (m)	9	6 (North), 6 (South)
(f) Minimum corner side yard setback (m)	9	NA
(g) Maximum principal building height (m)	12	≤ 12
(h) Maximum lot coverage (%)	30	7.82%
(i) Minimum landscaped area (%)	20	33.69%

Table 2. Proposed Rural Zoning Exception of the R15[xxxr] Zone

I Exception Number	II Applicable Zones	Exception Provisions		
		III Additional Land Uses Permitted	IV Land Uses Prohibited	V Provisions
xxxr	R15[xxxr]	Place of Assembly		<p>Notwithstanding the minimum required setback from a watercourse, as prescribed in Section 69, the proposed assembly hall at 4835 Bank Street is subject to a minimum required setback of 20 metres to the normal highwater mark and 13 metres from the top of bank of the identified watercourse existing on the site.</p> <p>Notwithstanding the minimum required interior side yard setback, as prescribed in Section 224, the proposed assembly hall at 4835 Bank Street is subject to a minimum required interior yard setback of 6 metres.</p>

6.3 Parking

The parking requirements are a mixture of the existing parking requirements for the existing Temple (44 spaces) and the current By-law requirements for the proposed Place of Assembly use (120 spaces). The parking for the existing Temple as a Place of Worship is legal non-complying as it was built under the requirements of the former City of Gloucester By-law 222-1984 and 333-1999. This was confirmed by City staff as shown in Appendix A.

Table 3. Parking Calculation

	Vehicle	Barrier-free	Loading	Bicycle
Grandfathered rate for the existing Temple (see Appendix A)	44 (includes 2 Accessory Residential spaces)	0	1	0
Minimum required rate for the proposed assembly hall	120	2	1	0
Total Parking Required	164 (includes 2 Accessory Residential spaces)	2	2	0
Total Parking Provided and Proposed	164	7	2	0
Parking Compliance	YES	YES	YES	YES

7. SUPPORTING STUDIES

7.1 Phase One Environmental Site Assessment and Subsurface Investigation

A Phase One Environmental Site Assessment (ESA) was prepared by LRL Associates Ltd. (LRL), dated June 13, 2017 and revised February 8, 2018. The purpose of the ESA was to research the past and current use of the subject site and adjacent properties and identify any environmental concerns with the potential to have impacted the subject site.

Among other recommendations, the ESA recommended that a Phase II ESA be conducted to address the potential for environmental concern related to the former bulk petroleum facility (UCO Petroleum) and associated underground and above ground storage tanks located at 4836 Bank Street, located 40 metres southwest from the site and approximately 200 metres from the proposed assembly hall. This was the only area identified in the report as an area of potential environmental concern (PEC).

During pre-application consultation, City staff confirmed that a Phase 2 ESA could be addressed at the time that an application is submitted for Site Plan Control. LRL has confirmed that a Record of Site Condition (RSC) would not be required for the proposed assembly hall.

Please see the report for further details.

7.2 Site Servicing Report

A Site Servicing Report was prepared by LRL Associates Ltd. (LRL), dated June 20, 2017. The purpose of this report was to discuss the adequacy of services for the proposed assembly hall with respect to water, fire protection and septic.

The report was based upon an earlier iteration of the submitted concept plan. The earlier iteration had a total building footprint that was approximately 100 m² greater (2,100 m²) than the current concept plan (2,000 m²). Therefore, any conclusions from the report are based on a building that is slightly larger than what is currently proposed. The report concluded the following:

- The required maximum hour water demand will be 1.77 L/s, which will be provided by a water service pipe size of 38 mm.
- The analysis concluded that the existing on-site hydrant location will be acceptable for the purpose of fire protection, and that fire flow will be 140 L/s.
- A new septic system, designed for a total daily flow of 21,600 L/day, is proposed.

Please see the report for further details.

7.3 Environmental Impact Statement (EIS)

An Environmental Impact Statement (EIS) was prepared by Muncaster Environmental Planning Inc., dated August 11, 2017 and updated on February 9, 2018. The purpose of the report was to

address any potential impacts of development to be had on significant woodlands, and endangered and threatened species habitat.

The report concluded that the proposed rezoning to permit an assembly hall is not anticipated to have any adverse impact on the significant natural features of the site provided the mitigation measures in the report are properly implemented. These mitigation measures include the provision of riparian vegetation and low-impact development within the buffer between the proposed assembly hall and the existing watercourse.

The report concluded that the proposed 20 metre setback from the normal highwater mark of the watercourse was appropriate instead of the standard 30 metre setback. The report also confirmed that a pervious pathway within the setback would be appropriate provided it is a minimum of 5 metres from the top of bank and that it consists of pervious material.

Please see the report for further details.

7.4 Terrain Analysis

A Terrain Analysis Report was prepared by LRL Associates Ltd. (LRL), dated June 22, 2017 and updated February 14, 2018. The purpose of the report was to determine if the proposed development has soil conditions that are suitable for on-site sewage disposal, and that it will not impair the use of groundwater resources on the site or adjacent lands.

The report concluded the following:

1. Sufficient area exists on the property for the installation of a septic system in accordance with the Ontario Building Code (OBC) to service the proposed Assembly Hall with a design sewage flow of up to 21,600 L/day.
2. In accordance with the D-5-4 guideline, the lot area of the Site is not of sufficient size to attenuate the impacts of the proposed septic system based on the **“Contaminant Attenuation Method”** using 40 mg/L as the contaminant source as per Section 7.
3. If Pre-treatment of the sewage from the existing sewage disposal systems with a Bionest system model (SA-3 to SA-6) certified treatment system, which has a documented and measured output of 12.5 mg/L and pre-treatment of the proposed system with an augmented Bionest system with a reported output of 2.5 mg/L yields a calculated nitrate concentration at the property line of 2.2 mg/L, based on the **“Contaminant Attenuation Method”**.
4. Records of domestic wells were retrieved within 500 m of the site. The potable water source of these wells is the bedrock aquifer. A thin layer of either clay, gravel or till, with some sand in areas, being between 0.9 and 7.6 m thick over bedrock.

Please see the report for further details.

7.5 Transportation Impact Brief

A Transportation Impact Brief was prepared by D.J. Halpenny & Associates Ltd., dated October 23, 2017. The report was required for the rezoning application to address the impact of site related trips on the adjacent roads and intersections at the completion of the conceptual development, and to determine the operation of the site accesses onto Bank Street and to recommend modifications if required.

The report concluded that the following:

- The site access intersection operated at an acceptable level of service during both the peak hour of trips entering (prior to service) and trips exiting (following service).
- The operational analysis determined that both the site access to Bank Street and the Bank/Street 6 roundabout operated at an acceptable level of service. No roadway or intersection modifications are required due to the addition of the assembly hall.
- The operational analysis determined that both the site access to Bank Street and the Bank/Street 6 roundabout operated at an acceptable level of service. No roadway or intersection modifications are required due to the addition of the assembly hall.
- The access provides a sight line which meets and exceeds the guidelines of the Transportation Association of Canada publication, Geometric Design Guide for Canadian Roads. Collision reports obtained from the City of Ottawa over the latest three year period does not show a safety problem with respect to the geometry of the site access.
- The number of parking spaces will comply with the City of Ottawa Parking By-law. The number of parking spaces currently is sufficient for the temple facility, and it is expected that the number of parking spaces proposed will be sufficient for the expected number of parked vehicles at the year 2025.

8. CONCLUSION

The proposed development is for an assembly hall to be added to the property at 4835 Bank Street, which is the site where the Hindu Temple of Ottawa-Carleton has existed and operated since 1985.

The proposed development requires an amendment to the site's existing institutional zone to permit the use of a place of assembly, and to permit relief from two setback related performance standards. The intent is to proceed with the rezoning before submitting an application for Site Plan Control.

The rationale for the proposal is to provide assembly space that will meet the growing needs of Ottawa's Hindu community. The assembly hall was envisioned in the submission of planning applications for the Temple in the 1980s. Over the last 30 years, the increasing demands for Temple related services have created the need for the assembly hall.

The assembly hall, which is envisaged as a standalone building, will continue to provide the same core services as are being provided in the existing Temple, with the exception of a deity space for worship (the existing Temple will continue to provide the only deity space for worship).

The proposed rezoning is consistent with the PPS 2014, conforms to the City of Ottawa Official Plan, is consistent with the City of Ottawa Zoning By-law, save and except the proposed amendment, and represents a desirable use of land that fits well and works well with the site's existing development and the surrounding context.

The proposed rezoning represents good land use planning and is recommended for approval.

Sincerely,

Lloyd Phillips & Associates Ltd.

Prepared by:



Barrett L. Wagar, M.Pl

Reviewed by:



Lloyd Phillips, MCIP RPP

APPENDIX A:

Legal Non-Complying Parking

From: "Garbos, Justyna" <Justyna.Garbos@ottawa.ca>
Subject: Pre-Consultation Follow-up: 4835 Bank Street
Date: May 21, 2015 at 4:21:49 PM EDT
To: 'Sid Thakar' <sthakar@thakarassociates.com>, Harish Gupta <guptagee@yahoo.com>, Shiv Jindal <sljindal@yahoo.com>
Cc: "Morgan, Brian" <Brian.Morgan@ottawa.ca>, "Shehata, Amira" <Amira.Shehata@ottawa.ca>, "Hayley, Matthew" <Matthew.Hayley@ottawa.ca>, 'Mathieu Leblanc' <Mleblanc@nation.on.ca>

Good afternoon:

As a follow-up to our meeting on May 19th, please find attached the Study and Plan Identification Lists for the Zoning By-law Amendment and Site Plan Control applications. Additionally, the Terms of Reference for the Planning Rationale and list of consultants offering Environmental Impact Statement (EIS) services have been attached. Guidelines for preparing the required studies and plans are available at the following link: <http://ottawa.ca/en/development-application-review-process-0/guide-preparing-studies-and-plans>. City and Conservation Authority staff comments are summarized below.

Planning – Justyna Garbos, Planner I, File Lead

Process

During the meeting, it was determined that the proposed use is defined to be a community centre as per Section 54 of Zoning By-law 2008-250. A community centre is not a listed permitted use in the Rural Institutional Subzone 5 (RI5); therefore, a Major Zoning By-law Amendment is required to introduce the new use on the property. The Site Plan cannot be approved until the zoning amendment is in full force and effect. It is at the applicant's discretion whether to submit the two applications concurrently or submit the Site Plan after the Zoning By-law Amendment has been approved. Should the applications be submitted concurrently, each application fee will be reduced by 10%. Conservation Authority and Engineering Design Review and Inspection fees are not subject to this reduction.

- Major Zoning By-law Amendment: <http://ottawa.ca/en/development-application-review-process-0/zoning-law-amendment>
 - 146 days (21 weeks)
 - Application fee: \$15,973
plus \$335 initial conservation authority fee
- Site Plan Control – Revision, Manager Approval, Public Consultation: <http://ottawa.ca/en/development-application-review-process-0/site-plan-control>
 - 74 days (10.5 weeks)
 - Application fee: \$19,140.77
plus Engineering Design Review and Inspection Fee – 4% of value of hard servicing and 2% of value of soft servicing, plus a fee of \$926 + HST/day for the review of 4th and subsequent engineering submissions

The applicant is encouraged to pre-consult with Councillor Darouze about the proposal prior to the submission of applications.

Parking Requirements

- Place of Worship (1984 & 1999 by-laws): 42 regular spaces + 2 accessory residential spaces, 1 loading space
- Community Centre: 4 spaces per 100m² of gross floor area (1700m²) = 68 regular spaces, 1 loading space
- Minimum total required: 112 regular spaces, 2 spaces for physically disabled (for a public parking lot with 100-199 spaces), 2 loading spaces
- Provided: 173 regular, 4 spaces for physically disabled, 1 loading