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**BOUNDARY ROAD AND
MITCH OWENS ROAD**

**City of Ottawa
Planning Rationale**



**5592, 5606 and 5630 BOUNDARY ROAD;
9460 MITCH OWENS ROAD
OTTAWA (EDWARDS), ONTARIO**

PLANNING RATIONALE

Prepared By:

NOVATECH ENGINEERING CONSULTANTS LTD.

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

March 19, 2013

Novatech File: 110213-6
Ref. No.: R-2013-025

March 19, 2013

Touchstone Contracting & Engineering Ltd.
P.O. Box 115
Manotick, Ontario
K4M 1A2

Attention: Mr. David Kurosky
Principal

Reference: 5592, 5606 and 5630 Boundary Road and 9460 Mitch Owens Road
Application for Zoning By-law Amendment
Planning Rationale
Our File No. 110213

The following Planning Rationale Report is prepared in support of a Zoning By-law Amendment application for the above-mentioned property. The proposed Zoning By-law Amendment is intended to zone the lands from RC2 (Rural Commercial Zone – Subzone 2) to RG (Rural General Industrial) Zone.

Based on the findings of this Rationale, the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement, conforms to the policies of the City of Ottawa Official Plan, and that the proposed use is compatible with the surrounding neighbourhood and represents good planning.

If you have any questions as you complete your review, please do not hesitate to contact me at your convenience.

Sincerely,

NOVATECH ENGINEERING CONSULTANTS LTD.



Adam Thompson, MCIP RPP
Planner

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1.0 INTRODUCTION

1.1 PURPOSE

Novatech Engineering Consultants Ltd. (Novatech) has prepared this Planning Rationale Report in support of an application for a Zoning By-law Amendment for the lands located at 5592, 5606 and 5630 Boundary Road and 9460 Mitch Owens Road in the City of Ottawa (the 'Subject Property'). The amendment would allow the development of the property for rural industrial and employment uses. These uses are not permitted uses under the current RC2 (Rural Commercial Zone – Subzone 2) Zone, therefore a Zoning By-law Amendment is required. It is proposed that the Subject Property be zoned RG (Rural General Industrial Zone) to facilitate the development of various potential uses on the Subject Property.

This Planning Rationale will demonstrate the various aspects of the proposal that support the Zoning By-law amendment. This report will also demonstrate how the proposed zoning will:

- Be consistent with the policies of the Provincial Policy Statement (PPS)
- Conform to the policies of the City of Ottawa Official Plan
- Be compatible with surrounding land uses.

1.2 PROPOSED DEVELOPMENT

The proposal for the Subject Property is intended to include the development of a minimum of one general industrial use, with the potential for additional industrial uses to be considered depending on market conditions and sufficient land being available. Uses to be considered will be limited to those permitted in the RG (Rural General Industrial Zone).

The proposed rural industrial uses prompt the need for an application for a Zoning By-law Amendment as the existing zoning restricts uses to those of a rural commercial function. The site in its current RC2 (Rural Commercial Zone – Subzone 2) zoning provides for rural employment opportunities of a commercial nature. The proposed rezoning, by allowing for industrial development, will continue to provide rural employment opportunities.

Any proposed building or use will be developed on the basis of private services. Site access is available on either Boundary Road or Mitch Owens Road. Proposed accesses will be located sufficient distance from the intersection of Boundary Road and Mitch Owens Road, and will likely be subject to review through Site Plan Control approval and/or entrance permits for new driveways, depending on the type of construction required for each specific use.

2.0 COMMUNITY CONTEXT

2.1 SITE DESCRIPTION

The Subject Property was previous subdivided into four separate land parcels through a series of severance applications. The previous severances also created a parcel to be developed as a public road. The lands proposed for the public road have been previously transferred to the City of Ottawa. It is noted that the proposed development will likely require the reacquisition of the lands set aside for the proposed road. The legal descriptions for the four properties and the road allowance are as follows:

- 5592 Boundary Road, Part 1 on Plan 4R-8132, Part of Lot 1, Concession 11, former Township of Osgoode (PIN 043230075)
- 5606 Boundary Road, Part 2 on Plan 4R-8132, Part of Lot 1, Concession 11, former Township of Osgoode (PIN 043230076)
- 5630 Boundary Road, Part 1 on Plan 4R-8158, Part of Lot 1, Concession 11, former Township of Osgoode (PIN 043230077)
- 9460 Mitch Owens Road, being Part 2 on Plan 4R-13558, less Parts 1 through 4 on Plan 4R-8132 and less Part 1 on Plan 4R-8158, Part of Lot 1, Concession 11, former Township of Osgoode (PIN 043230074); and
- City Lands, Parts 3 and 4 on Plan 4R-8132, Part of Lot 1, Concession 11, former Township of Osgoode (PIN 043230078).

The Subject Property is 42,044 square metres (10.39 acres) in area with 249 metres (817 feet) of frontage on Mitch Owens Road and 152 metres (499 feet) of frontage on Boundary Road. The intent is that all separated land parcels will be consolidated into one parcel, following which lands may be separated by severance to create parcels for individual uses. The site is currently vacant with mature tree cover except for the road allowance which has been cleared (see Figure 1).

Figure 1 – Aerial View of Subject Property



2.2 SURROUNDING USES

The Subject Property is located east of the hamlet of Edwards, in the former Township of Osgoode, now the City of Ottawa. The site is located on the south-west corner of the intersection of Boundary Road (Ottawa Regional Road 41) and Mitch Owens Road (Ottawa Regional Road 8) (see Figure 2). Boundary Road is a rural arterial road that provides direct access to Highway 417. The proximity to Highway 417 has led to a number of rural industrial developments along Boundary Road south of Highway 417. Rural industrial uses, such as the now closed 417 Auto Parts building, as well as a single detached residential dwelling (permitted by an exception to the Rural Heavy Industrial zone on the property) are located to the east of the Subject Property. To the north of the site along both sides of Boundary road are rural industrial land uses. Closer to the interchange with Highway 417 is a rural commercial (gas station) use.

West and south of the site, the land use is primarily General Rural. These lands are primarily vacant. Lands to the west of the site have been utilized for agriculture, primarily pasture lands.

Mitch Owens Road is a rural arterial road that provides a direct connection west to the southern sections of the City of Ottawa and industrial areas located on Bank Street.

Figure 2 – Aerial View of Subject Property and Surrounding Area



2.3 TRANSPORTATION

Both Boundary Road and Mitch Owens Road are identified as “Existing Arterial Roads” on schedule “G” in the City of Ottawa Official Plan. Land use and transportation are closely related. In assessing new development applications, the adequacy of the transportation network is essential.

Boundary Road is a two lane, paved, arterial road providing direct access to Highway 417. Mitch Owens Road is a similar two lane, paved, arterial road that connects Boundary Road west to major north/south arterial roads including Anderson Road, 8th Line Road, and Bank Street. Both Boundary Road and Mitch Owens Road are former Ottawa-Carleton Regional Roads and have retained their respective Regional Road numbers.

Section 6.1 of the City of Ottawa Transportation Master Plan requires that the primary function of arterial roads is to serve “through” travel between two defined points. Access to adjacent lands is permitted on arterial roads. Section 6.10 of the Transportation Master Plan identifies that the efficient movement of goods supports Ottawa’s economic livelihood and competitiveness. Ottawa’s truck routes are generally represented by arterial roads. The lands subject to this rezoning application are not adjacent to any residential communities that could restrict truck routes and the site is well served by two arterial roads. It is the City’s objective to maintain a network of designated truck routes, primarily on arterial roads that provide direct access to industrial areas such as the Subject Property.

3.0 PLANNING POLICY AND REGULATORY FRAMEWORK

The following section of this planning rationale will demonstrate that the proposed development is consistent with the policies of the Provincial Policy Statement (PPS), and in conformity with the policies of the City of Ottawa Official Plan. It will demonstrate that the planning policies of the PPS and the City of Ottawa Official Plan permit, encourage, and promote the proposed use and the form of development proposed.

3.1 PROVINCIAL POLICY STATEMENT (2005)

The 2005 Provincial Policy Statement (PPS) was issued under Section 3 of the Planning Act, R.S.O. Chapter 13 and came into effect on March 1, 2005. The PPS requires that all decisions with respect to planning matters be consistent with its policies. As such, this proposal is consistent with the following sections of the PPS.

The PPS promotes appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. Section 1.0 of the PPS states, *“Ontario’s long term prosperity depends on managing change and promoting efficient land use and development patterns”*. Section 1.1.1 of the PPS further defines healthy, liveable, and safe communities by stating,

“Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;*

This proposed Zoning Amendment is consistent with the above noted policies of the PPS. Firstly, the form of development is consistent with the land use pattern in the area and contributes to the financial well being of the Province by providing opportunity for industrial uses in close proximity to Highway 417. Encouraging rural based industrial uses to co-locate promotes the rural economic opportunities that will contribute to the overall wealth of the City and the Province.

The proposed Zoning Amendment will provide for rural industrial development that will provide employment opportunities and will contribute to the rural employment base for the City and Province. It takes advantage of the existing infrastructure of both Boundary Road and Mitch Owens Road that will support the intended development. No expansion of infrastructure is needed to accommodate the proposed use.

The PPS promotes appropriate development patterns in rural areas. Section 1.1.4 of the PPS states,

“In rural areas located in municipalities,

- b) development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.*
- d) development that is compatible with the rural landscape and can be sustained by rural services should be promoted.”*

The proposed development will not require any expansion to the existing road network. Access can be provided from either Boundary Road or Mitch Owens Road. The proposed development will be on the basis of private services; no municipal water or sewer services will be required to accommodate the proposed uses. Similar zoning and land uses exist on Boundary Road north of the Subject Property. The proposed development will not be out of scale with the adjacent rural area. Development of the Subject Property will likely require Site Plan Control approval, which will ensure proper site design.

The PPS promotes employment areas and employment uses. Section 1.3 of the PPS states that,

“Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment (including industrial, commercial, and institutional uses) to meet long-term needs.*
- b) providing opportunities for a diversified economic base, including maintaining a range of choice of suitable types of employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.”*

The proposed Zoning Amendment will permit a development that provides additional employment opportunities for the rural area of the City of Ottawa. This proposed use supports both the local area and the whole of the City of Ottawa. The development of the Subject Property is in a suitable location that will utilize the existing transportation network while

increasing the range of economic activity in the rural area. To permit such industrial uses on the Subject Property will serve the needs of rural Ottawa and build upon the existing network of industrial uses in the vicinity of the Subject Property.

Section 1.6.5 of the PPS reiterates the need for a well-planned transportation network. Policy 1.6.5.1 of the PPS states,

“Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.”

The Subject Property is located at the intersection of two rural arterial roads. The proposed development makes efficient use of the existing physical infrastructure and will not require any road improvements. The location of industrial uses in the proximity to Highway 417 will ideally reduce the need for large transport vehicles to utilize local roads in both the rural and urban areas of the City.

Section 2.0 of the PPS provides policies related to the use and management of natural heritage, water, agricultural mineral and cultural resources. The subject site is not identified as being within or adjacent to any areas of natural heritage, water, minerals or petroleum or archaeological potential. Development of the site will not interfere with any natural or mineral resources. As such, the proposed development is consistent with the policies of Section 2.0 of the PPS.

Section 3.0 of the PPS provides policies related to the protection of public health from natural and man-made hazards, such as areas prone to landslides, flooding, chemical hazards, contamination hazards and mine hazards. The subject site is not located near any form of natural or man-made hazards. No issues are anticipated in this regard with respect to the Subject Property.

The proposed development is consistent with the Provincial Policy Statement (2005) pertaining to Building Strong Communities, the Wise Use of Natural and Cultural Heritage and Natural Resources and policies concerning the protection of Public Health and Safety.

3.2 CITY OF OTTAWA OFFICIAL PLAN

The City of Ottawa Official Plan was adopted by City Council on May 14, 2003 and was modified by the Minister of Municipal affairs on November 10, 2003. There have been numerous amendments and modifications approved by City Council and the Ontario Municipal Board. For the purposes of this Planning Rationale, the consolidated online version of the City of Ottawa 2007 Official Plan (the “Official Plan”) was used for reference.

The City’s Official Plan has identified the need for a balanced employment growth between the urban sector and the rural sector. Agricultural uses are considered to be the backbone of the rural economy; however transportation services, resource extraction, manufacturing, tourism and construction contracting also contribute to the rural economy. The industrial uses permitted by the proposed RG (Rural General Industrial) Zone are supported by the Official Plan goal of permitting uses in that contribute to the rural economy. Development in the rural area will be primarily on the basis of private individual services where they are safe and environmentally sound.

The proposed uses for the Subject Property provide an opportunity to continue to diversify the City’s rural economy. The proposed rezoning will allow for a range of industrial activity to occur that can take advantage of the superior transportation links to Highway 417 and other areas of the City. Arterial roads have been identified as the preferred trucking routes avoiding existing residential areas. The Subject Property is not in proximity to any established residential community. No conflicts with residential uses are anticipated.

The Subject Property is located within the rural area of the City of Ottawa, as shown on the Rural Policy Plan (Schedule “A” of the Official Plan) (see Figure 3). Schedule “A” shows that the Subject Property is designated “General Rural Area”. This designation permits a variety of land uses, such as farms, rural housing, woodlots, and forests, small industries, golf courses, and small clusters of residential and commercial development.

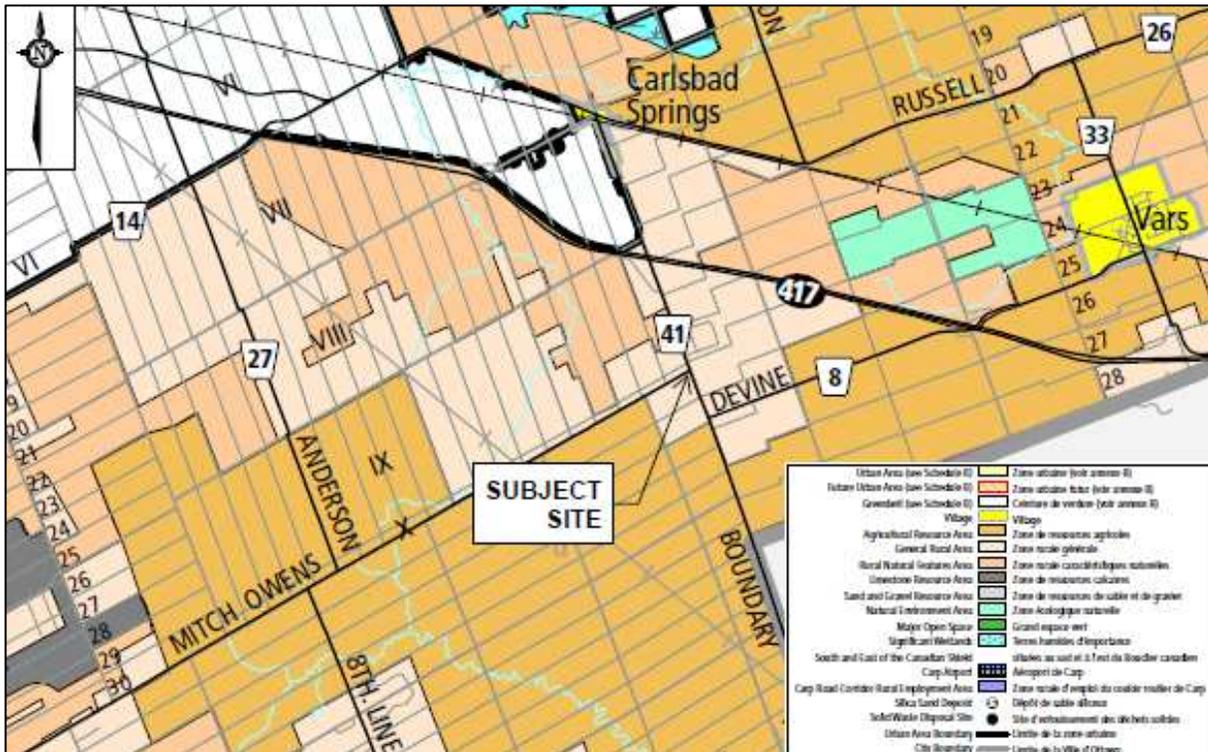


Figure 3 – Excerpt from Schedule “A” – City Ottawa Official Plan

Section 3.7.2, Policy 5 identifies that a zoning by-law amendment is required where certain uses are proposed in the General Rural Area. Policy 5 states,

“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:

- a) *New industrial and commercial uses, such as farm equipment and supply centres, machine and truck repair shops, building products yards, landscape contractors and nurseries.*
- b) *Uses that is noxious by virtue of their noise, odour, dust or other emissions that have potential for impact on air quality or surface water or groundwater, such as salvage or recycling yards, composting or waste transfer facilities, concrete plants, etc.*
- e) *Other new non-residential uses that would not be better located within a Village and which are in keeping with the rural character or those uses that meet the needs of the travelling public, such as a restaurant,*

gas station, motel, retail of up to 1,000 square metres gross leasable area or similar use; [Amendment 28, July 13, 2005]”

The uses permitted by the RG (Rural General Industrial) Zone are similar in nature to those uses described in Section 3.7.2, Policy 5 of the Official Plan. The proposed uses may result in a moderate level of noise, dust or emissions related to the permitted uses or due to the movement of vehicles where granular surface parking and storage areas are proposed. With respect to subpolicy (e), the proposed uses would likely not be better located in a Village area due to the incompatibility of some uses permitted in the Rural General Industrial Zone. The location of the Subject Property, being in proximity to two arterial roads as well as Highway 417, makes it a more suitable location than in a Village environment.

Section 3.7.2, Policy 6 of the Official Plan provides criteria to be considered when evaluating a Zoning By-law Amendment in the ‘General Rural Area’ designation. Policy 6 states,

“When considering an application to amend the zoning by-law to permit a new use indentified 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 urban area;*
- b) It must be demonstrated that the volume and pattern of traffic flow anticipated from the proposed development will not interfere with the proper functioning of the local road network;*
- c) The privacy of adjacent landowners or the amelioration of potential adverse impacts from lighting, noise, dust, or traffic can be achieved by separating land uses, buffering or any other measures as part of the development;*
- g) Noxious uses will only be considered where suitable screening and buffering can be provided and generally these uses will not be considered immediately adjacent to residential areas.”*

The uses being proposed for the Subject Property represent moderately intensive industrial activities that should not be located in populated areas such as Villages due to the potential for conflict with the surrounding land uses. It is probable that some proposes use will rely on trucking and the movement of goods which benefit from an extensive road network to ensure optimal and efficient operations. The Subject Property is located on two arterial roads that will allow the movement of vehicles with minimal disruption to existing traffic patterns. With little residential development in proximity to the Subject Property, minimal buffering and/or separation of land uses will be required to achieve an appropriate level of compatibility. The impact of any noxious use can be specifically addressed in the design of the site.

Section 4.11 of the Official Plan discusses the issues of compatibility in reviewing planning applications. Designations such as “General Rural Area” permit a broad range of uses and the intent of this Section is to ensure that all new developments meet the objectives and the strategic directions outlined in the Official Plan. Issues such as, transit, roads, parking, private water and wastewater servicing, natural and cultural heritage and features, public health and safety, etc. are all addressed through the development review process. Many of these concerns are specifically dealt with through the Site Plan approval process. It is necessary for zoning by-laws to establish more specific uses that can be permitted and the corresponding development standards.

Relating to Section 4.1 (Site-specific Policies and Secondary Plans), the Subject Property is not located in an area where such plan exists.

Relating to Section 4.2 (Adjacent Land Use Designations), the Subject Property is not adjacent to a significant wetland or habitat, urban area or village, mineral aggregate deposit or agricultural operation.

Relating to Section 4.3 (Walking, Cycling, Transit, Roads and Parking Lots), land use and transportation are closely interrelated. When reviewing development applications, the City will assess the adequacy of the transportation network to meet the needs of the proposed development. The site must be able to accommodate safe access/egress points and adequate parking. The Subject Property has opportunity to access both Boundary Road and Mitch Owens Road, which are rural arterial roads. The Subject Property’s proximity to Highway 417 will benefit by allowing truck traffic close access without requiring travel through urban areas or residential areas.

Relating to Section 4.4 (Water and Wastewater Servicing), the Subject Property will be developed on private services. As part of the Site Plan approval process detailed requirements for servicing will be provided. In support of the proposed development, a Draft Report on Site Development Considerations, Geotechnical Study and Servicing Options was prepared by Houle Chevrier Engineering Ltd., dated November 2012 (the ‘Houle Chevrier Report’). The Houle Chevrier Report concludes that sufficient water quantity is available to service the proposed development. Water quality is acceptable for drinking water, though the use of treatment systems is recommended to address exceeded aesthetic parameters. Wastewater for the proposed development can be provided by a conventional septic system.

Relating to Section 4.6 (Cultural Heritage Resources), the Subject Property is not part of any designated heritage resource area. The site is not located on a scenic entry route. It is recognized that Mitch Owens Road and Boundary Road have been designated as “Major Recreational Pathways” on Schedule “J” of the Official Plan. The proposed development

accesses should not compromise the opportunity for the City to ensure the continuity of a pathway system. With respect to archaeological resources, the Subject Property is not identified as having archaeological potential and is not located in proximity to any major waterways.

Relating to Section 4.7 (Environmental Protection), there have been no significant environmental features identified on this site that warrant protection. An Environmental Impact Statement and Tree Conservation Report was prepared by Muncaster Environmental Planners, dated June 25, 2010 which concludes that, *“the on-site and adjacent forests do not meet the criteria for Significant Woodlands in the rural portion of the City of Ottawa.”* The Muncaster Report also states that no detectable direct or indirect impacts on the natural environment are predicted from the construction and operation of the proposed use provided appropriate mitigation measures are followed.

Relating to Section 4.8 (Protection of Health and Safety), the Subject Property is does not contain any identified natural constraints (flood plains, wellhead protection or unstable soils) as demonstrated on Schedule “K” of the Official Plan.

Relating to Section 4.9 (Energy Conservation Through Design), the proposed use is intended to attract land uses that can utilize the proximity to Highway 417 as an efficient and quick method of transporting goods.

Relating to Section 4.10 (Greenspace Requirements), the proposed development will be adequately landscaped in a manner that considers the similar nature of adjacent uses, which are primarily agricultural and industrial.

To demonstrate compatibility of the proposed use with existing uses adjacent to the Subject Property, consideration should be given to the various objective criteria listed in Section 4.11, Policy 2 of the City’s Official Plan. The relevant considerations are as follows.

- 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.”*

The Subject Property is well positioned to take advantage of existing arterial road infrastructure and can easily accommodate the intended land use. Proximity to Highway 417 is a distinct advantage of this site. The potential for employee access and the movement of goods to and

from the Subject Property can easily be accommodated with little or no disruption and no infrastructure improvements are required.

- 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]*

The Subject Property will be subject to Site Plan Control which will provide further opportunity for the City to evaluate that location of the access/egress location. Screening of headlight glare is not expected to be a concern as there are no sensitive land uses on the east side of Boundary Road, or the north side of Mitch Owens Road, across from any potential location for access/egress.

- 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]*

It is intended that adequate parking be provided for each individual use as per the Zoning By-law requirements. The Subject Property is large enough to accommodate any anticipated required parking requirement as well as providing sufficient parking opportunities to accommodate the intended use.

- 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;*

There are no existing outdoor amenity areas adjacent to the Subject Property and no special consideration for buffering or mitigation is required.

- 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;*

It is anticipated that, where the proposed development requires outdoor storage, fenced outdoor storage areas will be used to suit the needs of the proposed use. Consideration for visual buffering should be based on the proposed use and may be reviewed through Site Plan approval, however the lack of adjacent residential properties should result in minimal requirements for visual buffering.

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

The nearest adjacent land use is a single residence and the former 417 Auto Parts building, which are both located on the east side of Boundary Road. It is anticipated that there will be no impact of light spill over to these properties. The balance of the adjacent lands is vacant. Development on the Subject Property will be subject to Site Plan Control where the location of lighting will be reviewed to ensure that there will not be any impacts.

- 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.*

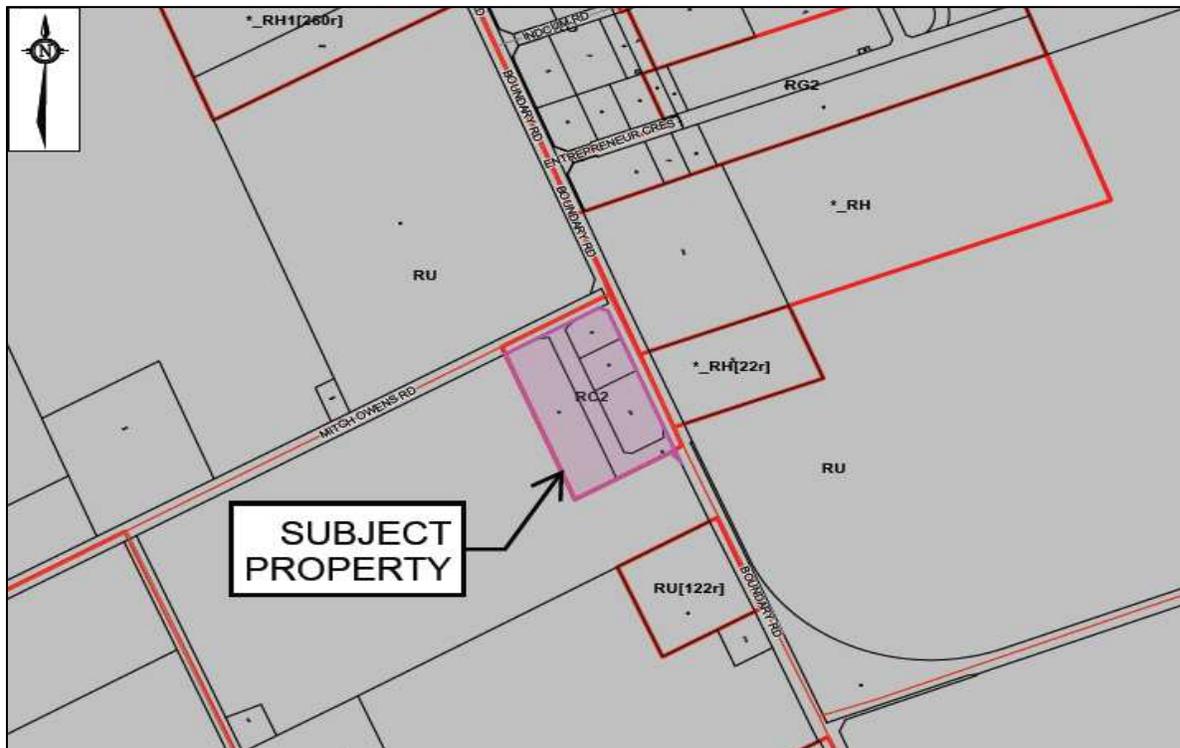
Due to its remote location in relation to other land uses, it is anticipated that there will be minimal impacts to “sensitive” adjacent land uses. There may be some noise and emissions in relation to the proposed industrial activities, but is expected to have little impact on the nearest sensitive use.

The proposed use, when evaluated against the above noted criteria, is compatible with existing adjacent land uses. The proposed use will fit well with the established pattern of development along Boundary Road and will be appropriate in the context of other land uses in the immediate vicinity. There will be minimal, if any, conflict with existing uses in the vicinity of the site. The proposed Zoning By-law Amendment conforms to the compatibility requirements of Section 4.11 of the City of Ottawa’s Official Plan.

3.3 CITY OF OTTAWA ZONING BY-LAW 2008-250

The subject property is currently zoned “RC2” (Rural Commercial Zone - Subzone 2), in the City of Ottawa Zoning By-law 2008-250 (see Figure 4).

Figure 4 – Excerpt from the City of Ottawa Zoning By-law 2008-250



The RC2 Zone permits the following uses:

- amusement centre
- amusement park
- animal care establishment
- animal hospital
- artist studio
- automobile rental establishment
- automobile dealership
- automobile service station
- bar
- campground
- car wash
- detached dwelling

- dwelling unit
- gas bar
- heavy equipment and vehicle sales, rental and servicing
- hotel
- kennel, see Part 3, Section 84
- parking lot
- restaurant
- retail store

The current zoning permits the development of the Subject Property for rural commercial uses. The RC2 (Rural Commercial Zone - Subzone 2) Zone does not permit any industrial uses. It is now the wish of the owners to develop the property for rural industrial purposes.

Immediately to the south, west and north of the Subject Property are lands zoned as RU (Rural Countryside Zone) which permits agricultural and limited residential uses. Immediately to the east and north along Boundary Road of the subject site are lands currently zoned RH (Rural Heavy Industrial) and RG2 (Rural General Industrial, Subzone 2) along Boundary Road. There is one property immediately east of the Subject Property that is zoned RH (Rural Heavy Industrial) with a special exception (Exception 22) to permit a detached dwelling.

There is one parcel of land zoned RC (Rural Commercial Zone) immediately south of the interchange on Highway 417 on Boundary Road which permits an existing gas bar. The balance of the lands in the vicinity are zoned RU. The rezoning of the Subject Property to RG (Rural General Industrial) would not be setting a precedent for this area. It would be a continuation of existing rural industrial activity that occurs along the portion of Boundary Road immediately south of Highway 417.

4.0 SUPPORTING DOCUMENTATION AND TECHNICAL STUDIES

In addition to this Planning Rationale, three technical studies have been prepared in support of the proposed development. The purpose of these technical studies is to ensure that the proposed development can proceed by using available infrastructure or by constructing new private services. The technical studies are also intended to demonstrate that the proposed development does not create significant impacts to properties in the vicinity of the Subject Property.

To determine whether the soil conditions on the Subject Property would limit developability, a geotechnical analysis was included in the Draft Report on Site Development Considerations, Geotechnical Study and Servicing Options, prepared by Houle Chevrier Engineering Ltd., dated November 2012 (the 'Houle Chevrier Report'). The geotechnical investigation was conducted using four boreholes from a previous geotechnical investigation and five new boreholes. The findings from the borehole tests are that the soils generally consist of a thin silty sand layer (up to 1.1 metres in depth) over silty clay estimated to be 18 metres thick.

The geotechnical component of the Houle Chevrier Report concludes that the soil conditions on the site will limit filling for the purposes of raising grades to a maximum of 0.2 metres to 0.6 metres, depending on type of fill material and the intended structure being placed on or above ground. Alternative materials for raising grades (such as using lightweight fill materials) can be considered where grade raises in excess of those recommended are required. In consideration of the proposed use of the Subject Property, it is unlikely that substantial grade raises will be required. Construction of the building and parking areas will be required to consider the recommendations of the Geotechnical Investigation.

To assess the availability of groundwater to service the Subject Property, a drinking water analysis was included in Draft Report on Site Development Considerations, Geotechnical Study and Servicing Options, prepared by Houle Chevrier Engineering Ltd., dated November 2012. The drinking water analysis tested a newly constructed well on the Subject Property for quantity and quality measures.

With respect to water quantity, a MOE standard six hour pump test was conducted on the new well. The Houle Chevrier Report concluded that sufficient quantity was available to service a typical commercial development.

With respect to water quality, the Houle Chevrier report states that,

“The results of the testing on the water samples collected from the well indicate that the water is suitable for consumption with the exception of several Aesthetic Objectives (chloride, colour, hydrogen sulphide, sulphate, total dissolved solids, sodium, and iron) and Operational Guideline (hardness) exceedances. No health related parameters were exceeded in the water test results. The aesthetic objective exceedances and the operational guideline exceedance are considered to be reasonably treatable using conventional water softening equipment followed by reverse osmosis treatment at all points of consumption.”

The Houle Chevrier Report concludes that water quality is acceptable for drinking water and recommends the use of treatment systems to address exceeded aesthetic parameters.

Wastewater treatment for the proposed development for the Subject Property will be provided by a conventional septic system. The Houle Chevrier Report, in considering the geotechnical factors for the Subject Property, states that, *“a conventional septic system is considered feasible for this site”*. The recommended system is a, *“fully raised Class IV system constructed with a sand mantle extending down gradient of the tile bed”*.

With respect to stormwater management, a Stormwater Management Brief was prepared by D.B. Gray Engineering Inc., dated November 26, 2012. The Stormwater Management Brief recommends that the proposed development be designed to include three stormwater detention areas, to be located in the north-east, north-west and south-east corners of the property. The three stormwater detention areas would outlet to existing roadside ditches which ultimately flow into the Simpson Municipal Drain, located along the south side of Mitch Owens Road.

To address natural heritage and wildlife impacts of the proposed development, an Environmental Impact Statement and Tree Conservation report was prepared by Muncaster Environmental Planning on June 25, 2010 (the ‘Muncaster Report’). The Muncaster Report notes that the site is not in proximity to a Natural Area as identified in the former Region of Ottawa-Carleton’s Natural Environment System Strategy and is five kilometres away from the closest Provincially Significant Wetland and Area of Natural and Scientific Interest, being the Mer Bleue Bog. An area of Significant Woodlands have been identified within 120 metres of the Subject Property, hence the requirement for an Environmental Impact Statement.

A portion of the lands in the northwest corner of the property have been cleared of woody vegetation, with some amount of fill added. Searches were conducted to determine any species at risk. One Species at Risk, the Henslow’s sparrow, has been identified as being in the vicinity

of the Subject Property. The type of habitat that attracts this species, being tall unmaintained weedy fields, is not present on the Subject Property.

Based on the investigation conducted, the potential species at risk are not anticipated to utilize the Subject Property. Species such as Wood turtles and Blanding's turtles require a shallow water habitat. These features are not present on the subject lands. No butternut was observed on the Subject Property.

The Muncaster Report notes that the on-site and adjacent forests do not meet the criteria for Significant Woodlands in the rural portion of the City of Ottawa. The forests, including the deciduous forest on the north side of Mitch Owens Road, do not contain mature stands of trees 80 years of age or older. To protect the adjacent habitats, silt fencing should be installed around the perimeter of work areas prior to any additional site alterations.

The Muncaster Report concluded that there was no detectable direct or indirect impacts on the natural environment that are predicted from the construction and operation of the proposed industrial building providing the above mitigation measures are implemented and the septic system and water well are properly installed and maintained.

5.0 PROPOSED ZONING AMENDMENT

The requested amendment to the Zoning By-law is to change the existing zoning from RC2 (Rural Commercial Zone, Subzone 2) to RG (Rural General Industrial) Zone which would permit the following land uses:

- dwelling unit (limited to a caretaker dwelling)
- animal hospital
- automobile body shop
- automobile service station
- drive-through facility
- gas bar
- heavy equipment and vehicle sales, rental and servicing
- kennel
- leaf and yard waste composting facility
- light industrial use
- parking lot
- printing plant
- retail store (limited to the sale of agricultural, construction, gardening or landscape-related products, equipment or supplies)
- service and repair shop
- storage yard
- truck transport terminal
- warehouse
- waste processing and transfer facility (non-putrescible)

The RG (Rural General Industrial) Zone would also permit the following conditional land uses, provided these uses are located on the same lot as those uses listed above:

- animal care establishment
- bank machine
- car wash
- convenience store
- personal service business
- restaurant
- retail store (limited to the sale of goods, service or materials provided by a permitted use)

The Subject Property is an appropriate site to allow for the above uses. The property is at the intersection of two major arterial roads within close proximity to Highway 417. The site is isolated from other sensitive land uses. Adjacent uses are similar in nature, thereby minimizing the opportunity for any land use conflict. There are six rural industrial properties within one kilometer along Boundary Road. The rezoning of the Subject Property would be a continuation this rural industrial activity.

6.0 SUMMARY

This Planning Rationale has been prepared in support of an application for a Zoning By-law Amendment to change the zone from RC2 (Rural Commercial Zone, Subzone 2) to RG (Rural General Industrial Zone). The purpose of the Zoning By-law Amendment is to facilitate the development of the Subject Property as a transport transfer facility.

The Subject Property is located in Part of Lot 1, Concession 11, Osgoode Ward, at the junction of Mitch Owens Road and Boundary Road in the City of Ottawa. Schedule "A" of the City of Ottawa Official Plan designates the subject property as "General Rural Area". The site currently consists of four parcels of land and a dedicated road allowance totalling 4.2 hectares (10.39 acres) in size. The site is currently vacant and treed. The road allowance has been cleared but the road has not been constructed at this time.

The development proposal for the Subject Property includes the development of a minimum of one general industrial use, with the potential for additional industrial uses to be considered dependent on market conditions and sufficient land being available. Uses to be considered will be limited to those permitted in the RG (Rural General Industrial Zone). The proposed uses will be developed on the basis of private services. Site access will be provided from either or both Boundary Road and Mitch Owens Road.

Surrounding uses are a mix of rural uses that include heavy industrial along Boundary Road north of the Subject Property, vacant and agricultural lands south, east and west of the Subject Property and a small number of single detached residential properties, most of which are south and west of the Subject Property. A single detached residential dwelling (permitted by an exception to the Rural Heavy Industrial zone on the property) is located on the opposite side of Boundary Road.

The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (2005) pertaining to Building Strong Communities, the Wise Use of Natural and Cultural Heritage and Natural Resources and policies concerning the protection of Public Health and Safety. The proposed Zoning By-law Amendment will facilitate a development that promotes efficient development and land use patterns and will promote economic activity. The development can be accommodated using existing road infrastructure and can be supported with private services.

The proposed Zoning By-law Amendment conforms to the City of Ottawa Official Plan. The subject site is designated "General Rural Area" on Schedule "A" in the City of Ottawa's Official Plan. This designation allows for rural industrial uses, provided that a Zoning By-law amendment is submitted. The proposed uses would be incompatible in a Village designation as there would be potential for land use conflicts and complaints from the public.

The proposed uses are compatible with existing adjacent land uses and will fit well with the established pattern along Boundary Road. There will be minimal, if any, conflict with existing uses in the vicinity of the site. The proposed Zoning By-law Amendment conforms to the compatibility requirements of Section 4.11 of the City of Ottawa's Official Plan. The Subject Property can be developed with no detectable direct or indirect impacts on the natural environment, providing the mitigation measures recommended by the Environmental Impact Statement are implemented and the septic system and well are properly installed and maintained.

The Subject Property is appropriate for proposed industrial activities. The site was reviewed in the context of the City's policies on Land Use Compatibility. The proposed uses, when evaluated against the established criteria, are compatible with adjacent land uses and fits well with the established pattern of development that is present along Boundary Road.

This Planning Rationale demonstrates that the proposed zoning amendment is consistent with the Provincial Policy Statement, conforms to the policies of the City of Ottawa Official Plan, and that the proposed use is compatible with the surrounding neighbourhood and represents good planning.