



**Date:** October 31, 2024

**File:** 071122 - 1280 Trim Road

**To:** Lucy Ramirez  
Planner  
Development Review, PRED

## **RESPONSE TO R1 FEEDBACK FOR ZBL FILE NO D02-02-24-0024 - 1280 TRIM ROAD**

The following outlines the detailed responses to the First Round Technical Agency Feedback Form dated September 11 2024.

Our responses are provided in the same order as the comments were received. Civil Engineering responses are provided under separate cover appended to this letter as Appendix A.

### **List of Revised Materials**

- [ Site Plan, Revision 19, October 10, 2024
- [ Elevations, Revision 7, October 30, 2024
- [ Civil Package, Revision 8, October 24, 2024
- [ Retaining Wall, Revision 1, June 25 2024
- [ Landscape Plan, Revision 7, October 18 2024
- [ TIA Addendum # 1, dated October 15 2024
- [ Zoning Confirmation Report, Revision Date October 25 2024

## Response to Comments

### Planning

1. In the first pre-application consultation (PC2023-0061) it was noted that sanitary and storm sewers existed in as easement at the West of the site. However, you do not have a legal right to access the easement on your neighbours' lands, 3775 St. Joseph Boulevard as 1280 Trim did not gain an interest in the easement that was established by a consent decision in 2015 (D08-01-15/B-00104). Only the property Owners at 1290 Trim Road and 3791-3809 St. Joseph Boulevard have a right to this private storm and sanitary sewer easement.

The Planning Act, section 50(3) prohibits an individual or company from effecting a broad variety of transactions relating to land or interest in land, the reason is to not create or convey any long-term interest in land. You need to come to an agreement with the Owner of 3775 St. Joseph Boulevard for a servicing easement (sanitary and storm water), and then you need to submit a consent application to the Committee of Adjustment for the easement.

You need to show adequate municipal services to support the Zoning By-law Amendment. Since you do not have an easement over the private sanitary and storm sewer, there a couple of ways to proceed.

Option 1 – A holding symbol is placed on the Zoning - If you want to move ahead with the Zoning By-law Amendment, I'm going to recommend a hold be placed on the property until one of two things happens: 3775 St. Joseph Boulevard agrees to provide you with a servicing easement (sanitary and storm water), and you've gone to the Committee of Adjustment to establish said easement, a certificate of consent from the Committee of Adjustment is needed to lift the hold. You revise your plans to show an alternate servicing configuration. Can the sanitary and storm connections come from Trim Road?

Option 2 – You place the Zoning By-law Amendment Application on Hold. I can place your application on hold, until you provide me with the certificate of consent from the Committee of Adjustment that shows that you have acquired a servicing easement (sanitary and storm water).

**] Q9 \_ ZBA Application is proceeding without holding. A consent application to create an easement for civil infrastructure is being drafted and will also be identified as a condition of Site Plan Control Approval.**

2. Please review the proposed details of recommended zoning below and provide comments.

#### **Proposed Details of Recommended Zoning**

The proposed changes to the City of Ottawa Zoning By-law No. 2008-250 for 1280 Trim Road

Rezone the lands as shown in Document 1  
Document 1 – Location Map / Zoning Key Map

Add a new exception, XXXX, to Section 239 – Urban Exception with provisions similar in effect to the following: In Column I, Exception Number, add the text “[XXXX]”

- 1) In Column II, add the text “IL [XXXX] H (20)-h”
- 2) In Column V, include provisions similar in effect to the following: The provisions of clause 203 (2)(c) does not apply to **personal service business** and **restaurant**.
- 3) Despite clause 203(2)(c), an **automobile service station** cannot exceed 650 square meters of gross floor area.
- 4) The minimum front yard setback: 3 metres.
- 5) The minimum rear yard setback: 9.9 metres.
- 6) The minimum interior side yard setbacks: 3 metres on one side and 1.2 metres on the other.
- 7) Despite subsection 203(5), a fenced outdoor storage area limited to a maximum total area of 24 square metres is permitted.
- 8) ~~The holding symbol shall not be removed until it is demonstrated to the Satisfaction of the General Manager, Planning, Development, Building Services Department that a servicing easement over 3775 St Joseph Boulevard has been acquired. Or servicing plans are revised to show an easement over 3775 St Joseph Boulevard is not required.~~

**] Q9 \_ Zoning details are correct. Item number 8) should be removed. Further to the most recent discussions, the ZBA Application is proceeding without holding. A consent application to create an easement for civil infrastructure is being drafted and will also be identified as a condition of Site Plan Control Approval.**

3. Per the Official plan, policy 4.6.2 (4), buildings should be oriented towards the scenic route. Per the Secondary Plan along corridors, active frontages are required to enhance the public realm and animate the street (section 4.5). Ideally, there would be entrances for the restaurants that face the street. In your planning rationale you state that “Building 2 provides a door facing the public street” (page 29 and 30). Per the elevations there does not appear to be a door the public can use, just a side door. Have you looked at having active entrances for the restaurants facing the public street? Can you provide an active entrance for at least one of the buildings, building 2? In the design brief it also says you’re providing a door(entrance) facing the public street.

**] Q9 \_ A pedestrian access and door has been added to the Trim Road frontage for Building 2, Unit 2 A.**

4. Your planning rationale and urban design brief say the development is a single storey in height, with a maximum height of 7.0 metres; however, your Zoning Confirmation Report says a height of 13.5 metres, please correct discrepancy.

**] Q9 \_ The Zoning Confirmation report has been updated to reflect the correct building height of 7.0 m. Please see the file dated October 25, 2024 revision.**

## Urban Design

5. There is inconsistency between the Site Plan and Landscape Plan for the 'walkway' on the north end of the drive-through building. It's labelled as a gravel pathway on the LP but as a concrete walk on the SP, please clarify.

] **Q9 \_ This has been revised and plans have been coordinated.**

6. The tree protection fence for adjacent property trees is not identified (label is there, but no leader or fence line).

] **Q9 \_ Fence is indicated as a zig-zag line on revised Landscape Plan.**

7. Please provide a detail for the retaining wall. I cannot find one between the LP and servicing details.

] **Q9 \_ Retaining wall detail is shown on the attached plan called 'Retaining Wall Layout and Details'**

8. Will the menu board be mounted on the retaining wall? Please clarify how the chain link fence, 1m-2m high retaining wall and menu board will work together.

] **Q9 \_ Stone retaining wall and area where menu board are located is actually at the same grading level. The menu board will be located in front of the chain link fence.**

9. Please confirm there is exterior lighting on the elevations. There is no label/legend indicating so.

## Engineering

10. No comments.

## Forestry

11. No comments

## Parkland

12. No comments

## Transportation

13. TIA: No further comments for the rezoning application.

14. TIA addendum: Review site generation tables for rounding errors. For example, trips tabulated in Table 7 do not represent the volumes in Tables 3-6.

] **Q9 \_ This has been corrected in the October 15, 2024 addendum**

15. Review Figure 1, the projected site generated trips do not compute. For example, the EB-RT out of the site has 61 vehicles exiting, however the receiving volume at the roundabout is only 24 vehicles, 37 vehicles should be added to the u-turn movement at St Joseph/Trim, as these trips are then noted on the NB-RT at the Taylor Creek/Trim roundabout.

] **Q9 \_This has been corrected in the October 15, 2024 addendum**

16. The following comments are applicable to the Site Plan: Show/note material on Multi-Use Pathway, the concrete sidewalk appears to simply tie into the MUP, however the difference in materials should be clear.

] **Q9 \_The site plan has been updated to specify the material for the MUP (asphalt) and the sidewalk (concrete)**

17. As previously noted, there must not be a curb across the MUP, depressed or otherwise. The MUP must be continuous asphalt across the access, see schematic below.

] **Q9 \_The site plan has been updated to specify that there is continuous asphalt across the entrance to the MUP.**

18. Staff reserves the right to provide further comments at the time of Site Plan application.

**Community Issues**

19. Staff received questions and comments from one individual, who questioned why residential was not being pursued, the height of the buildings (too low), and expressed concerns with the Owner receiving a city grant for the development.

] **Q9 \_ Residential is not permitted in the Official Plan in this location and is not supported due to the adjacent industrial park and land use compatibility issues. The height of the commercial buildings is reflective of what unit spaces can be leased. As residential is not permitted, height would only be achieved by pursuing office space on upper levels. Office space is not in demand in this location and as such would remain vacant and be a cost burden on the development. The CIP was obtained because the project met the criteria for the CIP program that was in place at the time of submission.**

**Technical Agency Feedback Comments**

**Canada Post**

20. No comments

] **Q9 \_ Acknowledged.**

**Conseil des écoles catholiques du Centre-Est**

21. Ne s'y oppose pas

] **Q9 \_ Acknowledged.**

## **Enbridge**

22. Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.

23. Please always call before you dig, see web link for additional details: <https://www.enbridgegas.com/safety/digging-safety-for-contractors>

24. Please continue to forward all municipal circulations and clearance

] **Q9 \_ Acknowledged.**

## **Telus Communications**

25. No conflict with Telus

] **Q9 \_ Acknowledged.**

## **RVCA**

26. See attached letter

] **Q9 \_ No letter from RVCA was provided.**

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Should you have any questions about the revised submission, please contact the undersigned.

Yours truly,



Christine McCuaig, RPP MCIP M.PI  
Principal Senior Planner + Project Manager

CC: Brent Harden, Harden Realities