

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON
MUNICIPALITÉ RÉGIONALE D'OTTAWA-CARLETON

REPORT
RAPPORT

Our File/N/Réf.
Your File/V/Réf.

DATE 4 June 1998

TO/DEST. Co-ordinator
Planning and Environment Committee

FROM/EXP. Planning and Development Approvals Commissioner

SUBJECT/OBJET **RESPONSE TO RECOMMENDATIONS OF
TRANSPORTATION COMMITTEE**

DEPARTMENTAL RECOMMENDATION

That the Planning and Environment Committee recommend that Council receive this report for information.

PURPOSE

At its meeting of 1 April 98, during consideration of an item on Sustainable Transportation, Transportation Committee carried a number of motions, including the following:

That the following recommendations be referred to the Planning and Development Approvals Department for a report to the Planning and Environment Committee:

1. Request that the Planning and Development Approvals Department prevent the construction of surface parking lots in the Central Area that would cater to long term parking. Request the Planning and Development Approvals Department to challenge the City of Ottawa's zoning by-law that necessitates parking in the Central Area for new developments;
2. Request that the Planning and Development Approvals Department develop a strategy (e.g. decreased rates for car-pooling) to decrease long term monthly parking in the RMOC garage and increase short term visitor parking. Request that a surcharge be created for long term parkers to be used for transit purposes;
3. Request that the Planning and Development Approvals Department ensure that all lower tier municipal zoning by-laws come into compliance with the new Regional Official Plan with regards to decreasing the parking demand in these by-laws so as to increase transit usage;

4. Request that in the interim, the Planning and Development Approvals Department challenge all proposed developments that plan to provide more than 25% of parking spaces per employee within the Central Area, and proposed developments that plan to provide more than 50% of parking spaces per employee beyond a 400 metre distance of the transitway;
5. Under RMOC Subdivision agreements, Site Plan requirements and road construction projects, that pedestrian and cycling pathways be more prominent in order to provide better access within our communities, as well as access to Regional Roads, where residents have access to public transit.

This report addresses these five recommendations.

DISCUSSION

1. Request that the Planning and Development Approvals Department prevent the construction of surface parking lots in the Central Area that would cater to long term parking. Request the Planning and Development Approvals Department to challenge the City of Ottawa's zoning by-law that necessitates parking in the Central Area for new developments;

The City of Ottawa's zoning by-law for most of the Central Area requires public parking to be located in a building. The parking lots which exist are permitted under zoning by-laws authorizing the temporary use for parking or pre-date this provision in the zoning by-law. Based on a City of Ottawa report, there are currently nine surface parking lots in the Central Area permitted by temporary use by-laws and a tenth application recently approved.

The City of Ottawa Official Plan contains a specific policy on temporary surface parking, policy f) of 5.9.2.2, which states, "City Council shall discourage the provision of temporary surface parking spaces on vacant sites within the Central Area in order to support the reduction of carbon emissions and to ensure a vibrant pedestrian environment." However, this policy does not constitute a total ban since a subsequent sentence in the same policy begins, "Where temporary surface parking is permitted,..." Moreover, the general temporary use provision of the OP states that City Council may permit uses which would otherwise not conform to the OP or zoning by-law for temporary periods. This provision is the basis upon which a few temporary surface public parking lots have been approved by the Ontario Municipal Board even though Council refused the applications.

The City of Ottawa has just issued a discussion paper on temporary surface parking in the Central Area. The study recognizes the conflict between the provisions of the Official Plan and outlines suggestions to amend the policy framework concerning temporary surface parking in the Central Area. Generally OP policy could be amended to clarify that the specific policy to discourage temporary surface parking in the Central Area should take precedence over the more general temporary use provisions; add a policy concerning temporary surface parking to each of the Character Areas in the Secondary Policy Plan for the Central Area; and to add criteria related to

the need and the appropriateness of the use relative to the context of each specific site in order to determine whether a particular application is an exceptional case.

The report also indicates that there is no demonstrated need for additional parking which may be provided by temporary surface parking lots and that the majority of the temporary parking lots provide mainly long-term parking by the day or the month. Because the zoning or temporary use provisions of the *Planning Act* do not permit municipalities to regulate parking operations, (e.g. whether short-term or long term), the provision of short-term parking should not be used as a rationale for approving temporary parking. A copy of the City's discussion paper is on file with the Regional Clerk.

The 1997 Regional Official Plan contains only one policy relating to parking in the Central Area. This policy says that the Region will work with the City of Ottawa to support the provision of short-term parking in the Central Area to serve the retail and commercial sectors and limit the provision of long term parking to discourage the use of private vehicles for work trips (Section 3.4.2, Policy 16).

The *Municipal Act* and the *Regional Municipalities Act* provide the Region with another option for action. These Acts give the Region the power to zone lands within 45 metres of a regional road, with the Regional by-law prevailing over the local zoning in the event of a conflict. Theoretically, the Region could zone lands within 45 metres of a regional road to prohibit surface parking as a permitted use or revise performance standards with respect to parking. Such a by-law would have to meet the tests of good planning and conformity to the Regional and local official plan. However, this power has never been used in Ottawa-Carleton.

The City of Ottawa is in the process of reviewing its zoning by-law for the Central Area. Staff will vigorously pursue stronger policies with respect to temporary surface parking in the context of the discussion paper on temporary surface parking and of the new zoning by-law with the objectives of preventing the construction of new surface parking and reducing the number of existing surface parking lots. At the same time, Regional staff will advocate that the City of Ottawa review the zoning provisions that necessitate parking in the Central Area for new developments. If it appears that the City is not receptive to changes in this regard, it may be necessary to add more detailed policies on Central Area parking to the Regional Official Plan in order to provide a strong basis for appeal of the City's new zoning by-law for the Central Area.

2. Request that the Planning and Development Approvals Department develop a strategy (e.g. decreased rates for car-pooling) to decrease long term monthly parking in the RMOC garage and increase short term visitor parking. Request that a surcharge be created for long term parkers to be used for transit purposes;

This is a property management matter. Staff will prepare a separate report to Corporate Services and Economic Development Committee on this recommendation. The report will address issues of consistency with regional policy in the Official Plan.

3. Request that the Planning and Development Approvals Department ensure that all lower tier municipal zoning by-laws come into compliance with the new Regional Official Plan with regards to decreasing the parking demand in these by-laws so as to increase transit usage;

Policy 15 of 9.4, Public Transit, in the 1997 Regional Official Plan requires area municipalities to review and amend parking requirements in zoning by-laws to a level which supports transit through:

- a) reduced parking requirements for developments in the vicinity of rapid transit stations;
- b) imposition of maximum parking space provisions for developments in the vicinity of rapid transit stations.

The City of Ottawa has appealed this policy to the Ontario Municipal Board, so staff have not yet formally requested municipalities to make this amendment. However, upon resolution of the appeal, the Department will pursue amendment of local municipal zoning by-laws to conform to this requirement of the new Regional Official Plan. In the meantime staff will request this change wherever municipalities undertake a comprehensive zoning by-law review or a site-specific rezoning in the vicinity of a transitway station. Staff have repeatedly brought this provision to the attention of the City of Ottawa in comments on various drafts of their new 2020Z zoning by-law. Now that the by-law was adopted by City Council on 20 May 98, staff have filed an appeal on this and other matters. Pursuant to the Corporate Policy Manual, a report will be brought to Committee and Council for their decision with regard to sustaining or withdrawing these appeals.

4. Request that in the interim, the Planning and Development Approvals Department challenge all proposed developments that plan to provide more than 25% of parking spaces per employee within the Central Area, and proposed developments that plan to provide more than 50% of parking spaces per employee beyond a 400 metre distance of the transitway;

As noted above, staff will comment and appeal, if necessary, any site-specific rezonings for development in the vicinity of transitway stations (interpreted as within 400 metres walking distance) which do not include reduced parking requirements and upper limits on the provision of parking spaces. However, where an application for a development is made which conforms to the existing zoning, there is no basis to challenge the development on the ground of inappropriate parking. The City's current zoning by-law for the Central Area requires almost 1.5 spaces per 100 square metres of office space (specifically .75 spaces per 47.5 square metres).

The policy in the Regional Official Plan is not as specific as the above recommendation, which staff interpret as requesting a challenge of any development in the Central Area which provides more than one parking space of dedicated employee parking per 100 square metres of office space or any development outside the Central Area which provides more than two parking spaces of dedicated employee parking per 100 square metres of office space within 400 metres of a transitway station. The staff response to the City's new zoning by-law, 2020Z, sent in February prior to the Transportation Committee recommendations, proposed a 20% reduction in parking

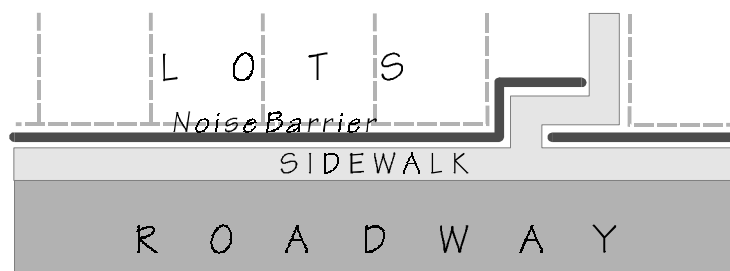
requirements for developments outside the Central Area. No change was made to the by-law and it has been appealed.

5. Under RMOC Subdivision agreements, Site Plan requirements and road construction projects, that pedestrian and cycling pathways be more prominent in order to provide better access within our communities, as well as access to Regional Roads, where residents have access to public transit.

Subdivisions -- Staff of Planning and Development Approvals Department have been implementing policies concerning good pedestrian access to bus stops or transit stations when approving plans of subdivision since the energy conservation amendment to the 1974 Regional Official Plan in 1983. In the 1988 Regional Official Plan, the policy required that either the road system put virtually all building sites within 400 metres walking distance of a transit stop or that a paved pedestrian pathway be provided to reduce walking distances where the road system did not achieve the 400 metre standard. In the 1997 Regional Official Plan, policy 13 of Section 3.2, Policies for Urban Communities, requires “direct and safe pedestrian and cycling links from residences to rapid transit stations, bus stops and community amenities, including sidewalks on both sides of streets designed to carry transit and paved pedestrian paths to minimise walking distances.”

Site Plans - Staff do comment on issues of pedestrian access to transit when reviewing site plans and will be increasing their efforts in this regard, due to more specific policies in the 1997 Regional Official Plan. However, the *Planning Act* limits the conditions which Regional Municipalities may place on site plans, primarily to road matters. Walkways and other means of pedestrian access are subject to site plan approval conditions of the local municipalities. The Region has no power to appeal site plan conditions under the *Planning Act*.

Road construction projects - The concern which prompted this reference was that the privacy fences or noise barriers constructed in conjunction with some Regional road projects (e.g. Baseline) impeded access from the interior of communities to the exterior including access to Regional roads which carry transit. The difficulty is that privacy fences or noise barriers are only effective in reducing noise levels if they are continuous. Where a public walkway exists, the road projects attempt to maintain that access. This means a break in the noise barrier; the two ends of the barrier are offset from each other with as much overlap as possible to also retain the noise reduction benefits.



FINANCIAL IMPLICATIONS

There are no financial implications to this report. The actions discussed are all part of the existing work program to implement Council's Official Plan.

CONSULTATION

There has been no consultation on this report, but the Official Plan policies, implementation of which is discussed, were the result of an extensive consultation process.

*Approved by
N. Tunnacliffe, MCIP, RPP*