

**Planning and Economic Development Committee**  
**Comité de l'urbanisme et de l'expansion économique**

**Agenda 20**  
**Ordre du jour 20**

**Tuesday, November 23, 1999 - 9:15 a.m.**  
**Le mardi 23 novembre 1999 - 9 h 15**

**Victoria Hall, First Level**  
**Bytown Pavilion, City Hall**

**Salle Victoria, niveau 1**  
**Pavillon Bytown, hôtel de ville**



City of  
Ville d' **Ottawa**

**Confirmation of Minutes  
Ratification des procès-verbaux**

Minutes 19 (November 9, 1999)

Procès-verbal 19 (Le 9 novembre 1999)

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Councillor/Conseiller Allan Higdon

Councillor/Conseiller Ron Kolbus

AML







November 9, 1999

ACS1999-PW-PLN-0158

(File: AQE 3000 200)

Department of Urban Planning and Public Works

Ward/Quartier

City Wide

- Planning and Economic Development Committee / Comité de l'urbanisme et de l'expansion économique Information

## **0. Update on the New Public Consultation Initiatives for Development Applications**

### **Le point sur les nouvelles initiatives de consultation publique concernant les demandes d'aménagement**

#### **Information**

#### **Background**

On February 9, 1999 Planning and Economic Development Committee confirmed a number of changes to the City's public consultation process for development applications, in order to implement some outstanding recommendations of the "A Better Way Task Force" which had previously been approved by City Council.

To re-cap, three of the four changes which were implemented effective April 20, 1999 are as follows:

1. The facilitation of Pre-consultation by proponents of development applications with community association representatives prior to submission of an application.
2. A Mandatory Information Exchange if Pre-consultation was not undertaken by the proponent, immediately upon submission of an application, involving the assigned planner contacting the community associations following which is a ten-day window for all stakeholders to meet, at the request of the community association, to discuss the proposal prior to its circulation.
3. Revamping of written notices sent to community associations and expansion of the Site Plan Control notice to provide additional information.

The fourth initiative which has not been completed as yet is the preparation of a Handbook which would provide community associations with additional information than is now sent to

them on the planning approvals and public consultation process.

At this Committee meeting, direction was given to the Department to prepare a follow-up report for the November 23, 1999 meeting.

### **Tasks Completed**

Upon Planning and Economic Development Committee's confirmation of these new initiatives, staff contacted all community associations/newspapers who are notified of development applications. A description of the new initiatives was provided, and the community associations were asked to confirm if they wanted to take part in Pre-Consultation and the Mandatory Information Exchanges. E-mail addresses were also requested to update the contact list which previously did not include this type of information.

Of the 103 community associations and newspapers registered for Early Notification (the specific procedure whereby community associations/newspapers receive a written notice of the application combined with the posting of the on-site sign) of development applications, 29 have requested to participate in Pre-consultation and Mandatory Information Exchanges. It should be noted that of this number, three are community newspapers that would be contacted to provide a "heads up" that an application has been received, but would not participate in meetings regarding the merits of the proposal. All of the community associations and newspapers continue to receive the written notices of development applications (this usually occurs several weeks after the Mandatory Information Exchange).

Our contact list was modified to capture those groups that have elected to participate in these initiatives, and the contact information was updated. Some associations have asked that two members of their association be listed for the Pre-consultation and Mandatory Information Exchanges, however our policy is that there should only be one contact for these initiatives per association. If the contact person will not be available for an extended period of time, then it is their responsibility to contact the City as ask that another contact person for the association be listed on a temporary basis for the Pre-consultation and Mandatory Information Exchanges.

While the Department of Corporate Services continues to maintain the contact list for Early Notification, in order to implement Pre-consultation and Mandatory Information Exchanges, planners needed easy access to the list and therefore to the computer program that generates the list of community associations affected within specific geographic areas. The necessary modifications were completed and planners can now generate the list at the time they meet with a proponent. As well, when an application is submitted, the planner can immediately contact the community association representatives if Pre-consultation was not undertaken. In addition, the planner now produces the labels required to mail the written notification to all community associations.

An advertisement was placed in the Citizen and Le Droit which was targeted to the



development industry explaining the City's desire to facilitate Pre-consultation. As well, a notice regarding this initiative is available at the Client Service Centre. The Site Plan Control Application form has been modified to include a section regarding Pre-consultation in order to encourage and confirm with proponents if it has been undertaken, where applicable. Other application forms will be updated as well by the end of the year.

Finally, the written notices were reformatted and simplified. The Site Plan Control application notices provides more information than the previous one or two line description. The advisory committees and technical agencies now receive the same notice as the community groups, which has reduced the duplication of written material which had to be prepared.

### **Evaluation of Initiatives**

It has been six months since these initiatives have been implemented. During this period, the City has received two Official Plan Amendment, 25 Zoning Amendment, eight Cash-in-lieu of Parking, 36 Site Plan Control and one Demolition Control applications which are subject to public notification and consultation. Of these 72 applications, the proponent carried out Pre-consultation in 18 percent of applications, and the planner carried out a Mandatory Information Exchange in 57 percent of the applications. For 25 percent of the applications, Pre-consultation or a Mandatory Information Exchange was not undertaken because no community associations in the particular geographic area have requested to participate in Pre-consultation and Mandatory Information Exchanges. The Pre-consultation or Mandatory Information Exchanges involved one or two contacts. In addition, it should be noted that the Ward Councillor is also contacted at this time as well. As a result of the Mandatory Information Exchanges, a total of three meetings were requested by community associations during the ten day window prior to application circulation.

In order to provide the Committee with an evaluation of these new initiatives, all community associations, the Environmental Advisory Committee and the Disabled Issues Advisory Committee were asked to provide comments on their experiences to date. These comments are included in Documents 1 and 2.

Feedback on the new initiatives generally has been very positive. Some associations have been Pre-consulted by proponents and if not, they are contacted by the planner shortly after the application has been received. This provides these community groups with an additional period of time to consult with others and develop a position on the proposal. Although only three meetings were requested prior to the circulation of the application (ie. the formal technical circulation and written notification of all community groups and the posting of the on-site sign); this may be due to some of the associations indicating that they weren't advised by the planner that they could request such a meeting, or because many of the applications were not considered controversial. In terms of the changes made to the format of the written notices to the public, there was overwhelming response that these were a substantial improvement to the previous notices. Some association representatives, however, indicated

that they would like additional information in the notices.

The Department has the following additional comments to provide on the evaluation of the new initiatives to date:

- Since the new initiatives have only been in effect for six months, it is anticipated that the percentage of applications for which Pre-consultation is undertaken by the proponent will increase as the development community becomes more aware of this initiative and of the potential reduction in processing timelines if it is undertaken prior to application submission. Not only is time saved because the processing of the application can proceed directly to the posting of the on-site sign and written notification, but the proponent will have more flexibility to modify the proposal if made aware of community issues prior to the submission of the application. It should be noted that some proponents do not want to undertake Pre-consultation, however these appear to be in the minority. The Department will continue to find ways to foster this part of the process.
- The information sent to community associations in March of this year about the new initiatives did explain that they could request a meeting with the proponent and the planner upon being advised that an application had been submitted. Some groups indicated that they were not aware of this, which perhaps might explain why only three such meetings were requested. Now that more community groups are aware of this option that is available to them, we may see more meetings requested during the Mandatory Information Exchanges.
- Other concerns raised by community associations are not specifically related to the new initiatives, but to other parts of the public consultation process. These include: the manner in which staff respond to questions and positions submitted by the public; the inability for community associations to pre-view and comment on the Departmental position which is contained in reports prior to their sign-off; and, the amount of notice given of the Planning and Economic Development Committee meeting. The Department is addressing specific complaints where possible, however, some of the changes requested to the process go beyond what had been agreed upon by all stakeholders through the “A Better Way Task Force” recommendations and the Department is not in a position to effect changes on these items.
- One concern that was expressed some time ago was the confusion created among the public with respect to the term “Early Notification System”. This terminology was introduced in 1981 when City Council established the way in which the public would be involved in planning and development matters. The reason for the use of the words “early notification” was that the City’s public notification and consultation procedures went beyond what was required by Provincial legislation. While this is still the case, the new initiatives of Pre-consultation and Mandatory Information Exchange mean that “early” notification is actually taking place even earlier than before. In order to reduce

this confusion, we will be replacing these words with the “Public Notification and Consultation System” which reflects the City’s commitment of not only providing information to the public as early as possible, but also incorporating public feedback into the decision-making process and ensuring that a follow-up is provided to the public.

Finally, the preparation of the Handbook to assist community associations through the development review process is a priority at the present time. Staff was seeking a few volunteers to form a working committee to complete this initiative, given that it is difficult to arrange meetings with large groups of volunteers. To date, four individuals have volunteered to participate. However, one group has expressed concern about the limited size of the group. Staff feel that it would be difficult to organize a working committee containing a large number of volunteers, however this does not mean that others cannot participate in the preparation of the Handbook. The volunteer group will be kept small but drafts of the Handbook will be circulated to all those who expressed an interest for their review and suggestions.

In conclusion, it is felt that these initiatives should continue, and that further refinements can be made to make them even more effective.



November 15, 1999 (12:09p)

Edward Robinson  
Commissioner of Urban Planning and Public  
Works

FJ:fj

Contact: Françoise Jessop - 244-5300 ext. 1-3862

## **Financial Comment**

There are no Financial implications to this report.



November 15, 1999 (11:05a)

for Mona Monkman  
City Treasurer

BH:ari

## **List of Supporting Documentation**

- Document 1 Consultation Details
- Document 2 Submission by South Keys/Greenboro Community Association

## Part II - Supporting Documentation

### Consultation Details

Document 1

#### Glebe Community Association (e-mail sent October 5, 1999)

- new procedures are working quite well
- we did receive “heads-up” on an issue, gave us additional time to formulate response
- recently developer contacted us even before submitting a rezoning, good sign
- one problem with planning applications and Committee of Adjustment is you don’t see the plans, must go to City Hall
- another problem is for Committee of Adjustment, we don’t know the name of the planner to contact to find out implications of applications
- in terms of the proposed Handbook, we’ve developed a form for reviewing applications
- suggestions for what should be included in Handbook:
  - ▶ sections of Planning Act or planning principles
  - ▶ definitions of various terms
  - ▶ information on how height is measured

#### Quinterra Riverwood Community Association (telephone call on October 12, 1999)

- we have been contacted by both developers for Pre-consultation and by the planner for a Mandatory Information Exchange, which works relatively well
- we would like more information up front
- we would like to sit down with the planner and collaborate on the preparation of report on development applications, this would mean full comments and consultation with the community
- planners are not available as much to the community, would prefer more on-going communication with staff

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- the reports should be received a minimum of seven days before the meeting
- in the proposed Handbook, a glossary of terms would be useful

### Faircrest Heights Community Association (facsimile sent October 15, 1999)

- please add our association to the list for Pre-consultation and Mandatory Information Exchange
- Pre-consultation is necessary
- time line of ten days for Mandatory Information Exchange meeting if required is acceptable
- more information is preferable in the notices
- a Handbook would be useful

### Fairlea Community Association (e-mail sent October 15, 1999)

- we have had no Pre-consultation or Mandatory Exchange since the new initiatives were implemented
- although variable in quality, some of us have noticed significant improvements in the language used in documents (more plain language)
- I note that we were curiously removed from the notices we previously received, we had to fight for one and one-half years, making several requests, to receive any notices of planning applications
- the main thrust of our interventions have been to change the process so that planning is put directly into the hands of the community so that officials become facilitators to a community process
- despite the review, the community remain facilitators to a bureaucratic process -- it should really be consultation of the community with officials on planning, not the other way around

### Dalhousie Community Association (facsimile sent October 17, 1999)

- our impression of the processes is generally favourable

- we have however concerns about the following:
  - ▶ of the numerous applications received, only one proponent sufficiently encouraged or motivated to pre-consult with the community, this is poorer record than previously
  - ▶ more encouragement needed, proponents should be aware of their increased potential for community approval if they pre-consult
  - ▶ while planners have been advising us of applications, we have generally not been advised that community groups can request a meeting with proponent
- the change in format of the written notices is a good move, we are seeing more involvement from the community as a result
- we look forward to the distribution of the Handbook

South Keys/Greenboro Community Association (letter dated October 17, 1999 and attached as Document 2)

Bel Air-Kenson Park Community Association (e-mail sent October 18, 1999)

- the new initiatives appear to be working fine, although I still do feel that we do not get enough time to respond when issues come up that are of concern to us

Hintonburg Community Association (e-mail sent October 21, 1999)

- in general, we are very pleased with the new initiatives
- several proposals have been presented since these went into effect, and Pre-consultation has worked very well; it has been useful to know ahead of time that development proposals are coming, and it has made process smoother to be able to talk with the proponent early in the process
- thus far, all proposals have been acceptable to our community, it remains to be seen how new process will function where substantial opposition from community results, perhaps some refinements will be needed in the case of uncooperative applicants

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- in general the written notices are a significant improvement over the previous format, a minor point which has been corrected since is that the applicant's name now appears in the notice
- please ensure that those who provided comments get notice of the disposition of planning applications
- we are very interested in the preparation of the Handbook, and would like to volunteer in providing feedback

### Fairlea Park Housing Co-operative Inc. (e-mail sent October 21, 1999)

- I am volunteering to assist in the preparation of the Handbook, but I am concerned that three to four volunteers (for the working committee proposed by staff) is insufficient to provide adequate participation, I am requesting that the consultation process on the Handbook:
  - ▶ significantly broaden the scope of participation
  - ▶ implement a consensus approach, amongst participants, on what is to be included in the Handbook
  - ▶ ensure all correspondence is communicated among the participants on a continuing basis so that full and complete consideration of ideas can take place
- concerned that few if any of the recommendations contained in a brief submitted, by the Fairlea Housing Co-op and a member of the Fairlea Community Association, to the City have been implemented (note this was an e-mail sent August 10, 1998 to the Planning Branch providing a position on how public participation should be carried out)

### Disabled Issues Advisory Committee (e-mail sent November 2, 1999)

- Pre-consultation has only been done on two occasions with our Committee when architects came to our regular meetings to solicit input, therefore it has been limited to date but has been effective nonetheless when undertaken
- should happen more often on large projects as the benefits through insights gained by the architects will permeate through the development community and barrier free access will be enhanced by becoming engrained as the norm in design

- the planning process should be modified to make Pre-consultation step obligatory for certain projects
- all residential developers should meet with us to discuss barrier free and visitable housing designs and all developers should be informed about DIAC's input into the site plan control process
- all developers should be advised by your staff of the existence of CMHC's booklet "Flex Housing" and similar barrier free technologies and planning staff should be educated regarding its contents
- regarding notification of applications received, this is working well and we seem to be apprised regularly of the most significant projects and we have sufficient time to reflect and comment on them ... in almost every case we have made some request for modification to the plan so we believe our review should continue
- the information we receive in the written notices is adequate when coupled with a discussion with planning staff and if necessary the architect
- as well, in many instances it is critical that the site be visited and in this regard an inspection of the site with a member of planning staff and/or architect may be needed as well, planning staff should make it known to the community associations and advisory groups that a visit of the site can be arranged
- the production of a Handbook is a good idea and we are prepared to assist
- we recommend that the role of DIAC should be heavily publicized and that the human rights legislation provides the overriding rationale for consideration of our comments in the approval process and is a recourse which can be sought "after the fact" if the comments are inappropriately ignored
- it is a long term goal of ours to transfer much of our review procedure to staff as our role should evolve to that of watchdog versus reviewer
- our experience of greater involvement in the process through Site Plan Control reviews over the past eight months has been beneficial in providing greater accessibility to our constituents
- your valuable assistance in educating us in the process and the co-operation and insights provided by your staff has been greatly appreciated, in many cases the planning staff has anticipated our comments and has made suggestions which have improved the design beyond that which we would have made



Environmental Advisory Committee (by telephone November 2, 1999)

- the written notices are very good, minor fine-tuning would be to have more consistency between planners
- Pre-consultation should not be an obligation, but should be strongly advised to proponents
- the Committee is available to meet with proponents to discuss proposals during its regular meeting the first Wednesday of the month

Submission by South Keys/Greenboro Community Association

Document 2

**South Keys/Greenboro Community Association  
Greenboro Pavilion  
14 Tapiola Crescent  
Ottawa, Ontario, K1T 1W9**

**Oct. 19, 1999  
Because of a word  
processing error,  
the last line of  
page 1 of our  
submission was  
inadvertently  
dropped. Please  
substitute this  
corrected page 1.  
Thank you.**

October 17, 1999

Ms. Françoise Jessop  
Department of Urban Planning and Public Works  
City of Ottawa  
111 Sussex Drive  
Ottawa, Ontario K1N 5A1

RE: Update on the New Initiatives for Public Consultation on Planning Applications

Dear Ms. Jessop:

Generally speaking, the Civic Affairs Committee of the South Keys/Greenboro Community Association has found that the three initiatives to improve public participation in the review of planning applications are a step in the right direction; however, there is need for additional improvement. For example:

- (1) When approval authority is delegated to staff, submitted questions should be answered and responses to submitted comments should be made before the Notice of Approval is issued, not in the Notice. There should then be a reply period to enable the group or person who asked the questions or made the comments to respond to the answers or responses.
- (2) When the Committee of Planning and Economic Development is the approval authority, there should be a better opportunity, or a different kind of opportunity, for comment by the public on the report submitted to the Committee by Planning Staff. A longer period of time between the issuance of the report and the date the Committee votes on the recommendations is also needed.
- (3) There should be "in-house" improvements in the quality of work done by the Planning Branch. The reports that Planning Staff submit to the Committee of Planning and Economic Development should be thorough, accurate, and unbiased. The reports should never treat community concerns in a superficial or dismissive manner. All submitted comments should be addressed. The reports accompanying Notices of Approval when approval authority is delegated to Planning Staff need similar improvements. Site plan applications and other applications should be carefully reviewed by Planning Staff to determine whether the plans comply with by-laws and other regulations.
- (4) Notification procedures should be the same for all applications. The procedures should be dependable.
- (5) Better use should be made of the City's web site to inform the public of the content of planning reports and recommendations.

**Initiatives #1 and #2.** In our experience under the new initiatives, pre-consultation worked most satisfyingly when the proponent contacted and met with community members in accordance with Initiative #1. This happened in one instance during the time the new measures have been in effect. Community members appreciated being contacted by Mr. Zlepniq and meeting with members of the Zlepniq family to learn of their intentions to expand the Southway Inn at the corner

of Bank Street and Hunt Club Road. For any sizable project, such as a site plan proposal for a new building, we recommend that City Staff strongly encourage the proponent to initiate contact with the neighbourhood Community Association.

All other proponents elected to follow Initiative #2, leaving it up to City Planning Staff to provide some advance notice. We received advance notice (presumably at least 10 days, but we weren't counting) from the City about a few proposals. The proposals seemed relatively straightforward and simple. We did not seek a meeting with any of those proponents. Had we chosen to try to meet with a proponent, it would have been important to us to have the assistance of the City in facilitating such a meeting by informing the proponent that community members would like to meet and by providing names and telephone numbers.

When the City gives the "heads up" to a Community Association's contact person that an application for development has been submitted, the City Staff person should not just notify the contact person, but should, each time, also inform the contact person that the purpose of the advance notification is to allow time (10 days?) for the community to meet with the proponent, if they so desire, before the written notice is mailed or the sign is posted.

We found that a helpful aspect of the early telephone notification by the City is that it alerts the Community Association to be watching the mail for the written notice, or to have someone go to the property to look for a posted sign.

With respect to Initiative #2, the new system may not be working perfectly. Our contact person was notified by telephone by a City Staff member about a Zoning Amendment Proposal for 2496 Bank Street (Donnelly's Ottawa Ford). Later the Community Association received the written notice, and the Association submitted comments in response. To the best of our knowledge, no on-site sign has yet been posted on the property. The posting of an on-site sign should be a mandatory aspect of the notification process. This could be an example of the need for "in-house" improvements in the Planning Branch. Notification processes should be dependable.

There may have been one instance in which a sign was not posted and in which no notice was sent to the Community Association. This may have happened for the paving of an automobile dealership lot and the building of a bridge over Sawmill Creek at the corner of Bank Street and Johnston Road (Southbank Dodge Chrysler). Circumstances under which no notification is given to a neighbourhood Community Association is a possible topic for the Handbook (Initiative #4).

**Initiative #3.** During the time the new initiatives have been in effect, the Community Association received at least three Zoning Amendment Proposals. We felt that the information provided for 1337 Hunt Club Road was inadequate because the Requested Zoning was not specified. The inadequacy of the proposal to re-zone 1555-1565 Johnston Road is discussed under Initiative #4.

We dealt with two site plan proposals, one for 2210 Bank Street (South Keys Shopping Centre, Revisions to the Parking Lot Layout) and one for 2300 Bank Street (CS Co-op bank). The original plan for 2300 Bank Street was submitted before the new initiatives came into effect. A revised plan for the CS Co-op bank and a plan for the Parking Lot Layout were discussed on May 10 at a meeting in the community arranged by Councillor Diane Deans. The developer's representatives and City and Regional planners answered many questions at that meeting. We feel that we do not have enough experience with site plans under the period of the new initiatives to make comment as to the sufficiency of written information sent to the Community Association, except to note that at least one provided map did not appear to be accurate.

"Timelines". The wording, "last date for comments — [month, day, year] or on-site sign date posted, whichever is last" (as appears, for example, in the September 24, 1999 Zoning Amendment Proposal for 2496 Bank Street) is an improvement over the previous wording, which

sometimes gave a deadline date for comment which was different from the deadline date on the posted sign. The new wording eliminates possible confusion.

On the "Information on the Zoning Amendment Process" page under, "We would like to know your views", we suggest that "by letter" be added to the "by phone, facsimile or e-mail" as ways to submit views concerning an application to the City. In the same paragraph, we suggest that consideration be given to dropping the word "Early" from "the City's Early Notification Policy."

In general, we have experienced more problems with adequacy and clarity of the reports Planning Staff make to the Committee of Planning and Economic Development and with the reports that accompany approval documents, when approval is delegated to Staff, than we have with the information in the written notices sent to the Community Association at the beginning of a development proposal.

**Initiative #4. Would a Handbook clarify processes that have confused community members?** The most confusing Notices the South Keys/Greenboro Community Association received during the period of new initiatives were the "Notice of Application and Notice of Public Meeting for a Draft Plan of Subdivision — 1555-1565 Johnston Road" (dated July 6, 1999) and the "Notice of Planning and Economic Development Committee Meeting — Proposed Zoning Amendments and Subdivision — 1555-1565 Johnston Road" (dated July 7, 1999). Equally confusing was the posted sign, which was a "Notice of Application and Notice of Public Meeting for a Draft Plan of Subdivision — 1555-1565 Johnston Road." The sign stated, "A PUBLIC MEETING WILL BE HELD TO DISCUSS THIS APPLICATION: July 27, 1999 9:15 am Victoria Hall (Council Chambers, City Hall)."

The posted sign was unlike any we had seen before. It announced a meeting of the Planning and Economic Development Committee. The requested zoning was different from any that had been previously proposed for the site, yet there was no information on the sign about zoning or about submitting comments about either subdivision or zoning.

Rather than being informed in the mailed notice that comments could be submitted by "phone, facsimile or e-mail", as in the "We would like to know your views" paragraph (see Initiative #3 above), the statement was made that comments concerning the application could be made at a public meeting scheduled for July 27, 1999 at 9:15 am at Victoria Hall.

At the public meeting of the Planning and Economic Development Committee on July 27, Bob Brown, the Community Association's contact person for planning notification, asked Chair Elisabeth Arnold whether the re-zoning and subdivision applications were new applications. Her response, unchallenged by Planning Staff, was that they were.

The notification process by which this re-zoning and its accompanying subdivision application reached Planning Committee seem quite different from the norm. Members of our Civic Affairs Committee remain puzzled to this day as to why the notification procedures were different from the norm in this instance. This lack of understanding has resulted in some distrust of the dependability of procedures of the notification system. The possibility that there legally can be, and the circumstances under which there can be, deviations from the norm is the type of information that needs to be carefully presented in any new Handbook to help the public understand the planning approvals and public consultation process. It will do little good to have a Handbook if procedures arise that are not explained in it.

The information provided in the July 1999 written notices concerning 1555-1565 Johnston Road was inadequate (Initiative #3). For example, the relationship of the new sign with the notification of the Public Meeting scheduled for July 27, 1999, to the former sign posted in the fall of 1998,

which solicited comments, and to the mailed notices, dated November 18, 1998, soliciting comments on zoning and subdivision, was not explained.

The South Keys/Greenboro Community Association received a Notice of Approval for a Site Plan Control Application for 2210 Bank Street (Parking Layout of South Keys Shopping Centre) dated August 30, 1999. In the attached Supporting Information document this statement is made: "This application was not subject to the Early Notification Policy. A public information meeting was held on May 10, 1999." It would have been informative to the Community Association if there had been a sentence or two of explanation as to why the application was not subject to the usual notification process. If there are entire categories of applications that are not subject to the Early Notification Policy, then perhaps this could be explained in the Handbook.

**When should questions be answered? When should responses to comments be made? Change is needed.** On several occasions the South Keys/Greenboro Community Association has submitted questions as part of the comment process. When approval authority is delegated to staff, as was the case for the site plan for 410 Lorry Greenberg Drive and the site plan for 2300 Bank Street, the questions were answered (or in some cases, not answered) in the Notice of Approval document. The current method of dealing with answers to questions and with responses to comments when authority is delegated to staff is dismissive of community concerns about planning issues. Written questions should be answered in writing before any Approval is released. Responses to comments should be made before any Approval is released. After the questions have been answered or the responses to comments have been made, a period of time (perhaps 10 days) should then be allotted for a reply, similar to the reply period for many legal processes. Not only should these procedures precede any issuance of a Notice of Approval, they should precede its preparation. Answering questions and responding to comments about site plans is very important because members of the public do not have the right to appeal the approval of site plans.

Written, numbered questions should be answered by number and answered specifically, rather than being grouped together and answered with a general statement. It has been our experience that some questions go unanswered, or comments appear to be ignored, which again is dismissive of community concerns.

**Change is needed to allow adequate time for the public to examine and comment on the report and recommendations that Planning Staff make to the Planning and Economic Development Committee.** The public should be given an opportunity to comment on the contents of the staff reports to the Planning and Economic Development Committee in some forum other than, and in advance of, the meeting of the Committee. Also, there should be a longer time between the issuance of the recommendations and report and the meeting date of the Committee. At present, the Community Association often receives the report about five (or fewer) days in advance of the Planning Committee meeting. This is not enough time to allow Community Association volunteers to adequately analyze the report, prepare a statement, and solicit community members to attend the Planning Committee meeting. A Community Association may be checking its mail only once a week, and could miss the event entirely. An additional drawback to public participation at this important stage of the planning process is that the Committee meetings are held during hours when most people are at work.

**Reports to the Committee of Planning and Economic Development need improvement. Reports when approval authority is delegated to staff need improvement.** The recommendation reports that Planning Staff prepare for the Committee of Planning and Economic Development often are inadequate. We believe this is an area that needs much improvement. In the past two years, we have experienced reports in which the submission of the Community Association concerning a development proposal has been inaccurately summarized. We have experienced reports in which a concern of the Community Association has

been treated in a dismissive manner or not mentioned at all. We have experienced reports that lacked important information relevant to informed decision-making. We have experienced reports that lacked clarity or that did not explain all relevant aspects and implications of the proposed recommendations. We have experienced reports in which the wording showed bias toward information favourable to the proponent rather than being a neutral presentation of factual material. We have experienced reports in which natural features which would be affected by development have not been shown on the map for a site. We have experienced reports in which the maps have been inaccurate. We would be pleased to provide the specific details of any of the above experiences if it would be helpful in bringing about change.

It is frustrating to community members that our elected leaders are making planning decisions that affect our community based upon reports of such poor professional quality. The quality of the reports is an "in-house" issue which does not appear to be receiving adequate "in-house" attention, either from the leadership of the Department of Urban Planning and Public Works or from the Planning and Economic Development Committee.

In our experience, some of the above comments about inadequacies in the reports of Planning Staff to the Committee of Planning and Economic Development could also be made about the reports accompanying the Notice of Approval when approval authority is delegated to Planning Staff. For example, the Supporting Information accompanying the Notice of Approval of the Site Plan Control Application for 2210 Bank Street (Parking Lot Layout of South Keys Shopping Centre), dated August 30, 1999, did not recognize nor accurately summarize the submission of the South Keys/Greenboro Community Association.

**In-house improvement in the Planning Branch would help the relationship between community and new development.** Earlier this year in our community, a newly built building which now contains a Quickie, Esso, Burger King with drive-through, and CS Co-op bank opened for business at the corner of Hunt Club Road and Lorry Greenberg Drive. Subsequent investigation revealed that the building was constructed with nine illuminated signs that do not comply with the signs by-law. All are too close to residential property, and some are too large. The owner has submitted an application for variances for the non-compliant signs.

Had any of the new initiatives of the pre-consultation process been in effect at the time, it seems unlikely that they would have contributed to exposing the non-compliant aspects of the proposed plan. Community members are not, and should not be expected to be, well informed about the specifics of intricate by-laws related to development. The public should be able to confidently rely on City Planners to adequately review plans to confirm their compliance with relevant by-laws. In our opinion, "in-house" improvements in the planning process would increase community satisfaction with the process.

**Reports of the Committee of Planning and Economic Development to Council need to be carefully prepared.** The South Keys/Greenboro Community Association has experienced not having its written submission on a staff report to the Committee of Planning and Economic Development acknowledged or summarized in a report that went from the Planning Committee to Council. This is not an appropriate way to deal with public consultation on planning applications.

**All reports and recommendations of Planning Staff to the Committee of Planning and Economic Development and of the Planning Committee to Council should be made available on the City's web site in a timely manner.** Making reports available on the City's web site is an area that needs much improvement. In our opinion, the notification of application documents mailed to Community Associations, Notices of Approval, etc. should also be made available, grouped by Ward, for example.

Thank you for this opportunity to comment. We would be pleased to provide information about the specifics of any particular case if that might lead to improvement in the public participation aspects of the planning process. Please feel free to contact Barbara Barr at 731-4784 or Bob Brown at 731-1789.

Sincerely,

Barry Sutherland  
Vice-President



cc: Councillor Elisabeth Arnold, Chair, Committee of Planning and Economic Development  
Councillor Diane Deans, Southgate Ward

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November 8, 1999

ACS1999-PW-PLN-0129

(File: OCM3100-99-004/OZP1999-021)

Department of Urban Planning and Public  
Works

Ward/Quartier

OT10 - Alta Vista - Canterbury

- Planning and Economic Development  
Committee / Comité de l'urbanisme et de  
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

### **1. Official Plan Amendment/Zoning Amendment - 600 Peter Morand Crescent**

#### **Demande de modification du Plan directeur/demande de modification de zonage - 600, croissant Peter Morand**

### **Recommendations**

1. That the application to amend the Official Plan to add a Site Specific Policy for the Ottawa Life Sciences Technology Park at 600 Peter Morand Crescent to permit office use as detailed in Document 1, be APPROVED.
2. That the application to amend Zoning By-law, 1998 to change the zoning of 600 Peter Morand Crescent from I2D[300]F(0.5)Sch.71 to a new I2D[300]F(0.5)Sch.71 to permit office use to a maximum floor space index of 0.24, as detailed in Document 3, be APPROVED.

November 10, 1999 (8:28a)

Edward Robinson  
Commissioner of Urban Planning and Public  
Works

PML:pml

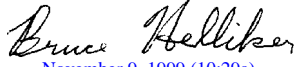
Contact: Patrick Legault 244-5300, Ext. 3857

November 10, 1999 (4:24p)

Approved by  
John S. Burke  
Chief Administrative Officer

## Financial Comment

N/A.

  
November 9, 1999 (10:29a)

for Mona Monkman  
City Treasurer

BH:cds

## Executive Report

### Reasons Behind Recommendations

#### Background

The plan for the Ottawa Life Sciences Technology Research Park (Park) was approved by City Council on October 16, 1991. The plan envisioned a research and technology park which would contain land uses catering to medical research and technology, and related laboratory functions within a campus-type setting. To date, there is one building within the Park which has an area of 3,716 square metres ( 40,000 sq.ft), which is a multi-tenant facility constructed in 1994 by the Province of Ontario, who are still the owners today. The facility houses research and development facilities, laboratories and offices.

#### Recommendation 1

The subject property is designated Major Institutional Area on Schedule “A” - Land Use, of the City’s Official Plan. This designation is generally intended to promote and facilitate the provision of a range of uses on major institutional lands which are compatible with both the institution and the adjacent neighbourhood. These designations are generally located on large parcels of land and are characterised by uses which serve all parts of the city. This designation includes, but is not limited to, hospitals, post-secondary educational facilities, jails and detention centres and major health care complexes and related research facilities.

Within the Official Plan, Section 10.2.2 e) identifies that pending a review of Major Institutional Areas to determine the provision of ancillary uses within this designation, an amendment to the zoning by-law is required to allow ancillary uses. In addition, the policy states: i) the uses are clearly secondary to, and supportive of, the primary institutional use; and ii) it can be demonstrated that such uses are not more appropriately located in another area designated on Schedule “A” - Land Use. The proposed addition of limited office use within the Major Institutional Area designation, in proximity to the adjacent medical institution, also necessitates an Official Plan amendment, with a Site Specific Policy permitting the limited office use within the Park. The objectives of the rezoning and Official

Plan amendment, are to enable additional development within the Park, which has to date been minimal, in addition to complementing the existing research and technology tenants and nearby medical facilities.

## Recommendation 2

### Existing Zoning

The site is currently zoned I2D [300] F(0.5) Sch.71, which is a site specific zoning for a biomedical and life sciences park, within the Major Institutional Zone designation. The zoning permits all the standard uses within the I2 zone, with the addition of laboratory. Further, with respect to laboratory or a research and development centre, these are not required to be located on the same lot as the standard list of permitted uses; and the restriction that the cumulative total gross floor area occupied by these uses not exceed 10% of the floor space index, or 55,740 square metres, whichever is less, does not apply.

### Proposal

The applicants are proposing to add limited stand-alone office use as a permitted use within the Ottawa Life Sciences Technology Park (Park). To date, there is a single building located within the Park. At present, this building is 90% occupied by a variety of tenants. There are no other plans for similar types of buildings. As a result of lower than anticipated interest by groups or organizations showing a desire to establish research or development facilities within the Park, the owners have applied to add a limited amount of office use within the park. No additional development potential is being requested, beyond that which currently exists, and the addition of office as a permitted use would not alter the plan for a campus-style environment for the Park. Further, there is not anticipated to be any appreciable difference in traffic generation for an office use as compared to a research and development use.

### Development Restrictions

The subject rezoning will not add any additional development potential within the Park. The existing 0.5 floor space index which permits a maximum of 37,772 square metres (406,600 square feet) of building area will remain in effect. No increase in building height is being requested over the current 15 metre height limit for the area west of Roger Guidon Drive nor for the balance of the development area within the Park, which has a height limit of 10.7 metres.)

Staff believes that the request to add limited office use would maintain the original intent of the Park and retain its relationship with the adjacent Ottawa General Hospital complex insofar as the proposed office uses would be ancillary to this facility.

## Environmental Impact

The Municipal Environmental Evaluation Process Checklist (MEEP) was completed and no adverse impacts were identified.

## Consultation

There were 13 comments received as a result of the public notification, related to: potential increase in traffic, building height, parking problems, and the need to rezone entire undeveloped lands.

## Disposition

Department of Corporate Services, Statutory Services Branch to notify the owner (Ontario Development Corporation, 56 Wellesley Street West, 6<sup>th</sup> floor, Toronto M7A 2E7) and agent (Jeffrey Climans, 235 Joicey Boulevard, Toronto, M5M 2V6), the Corporate Services Branch, Revenue Section, Assessment Control Supervisor and the Region of Ottawa-Carleton, Plans Administration Division, of City Council's decision.

Office of the City Solicitor to forward implementing by-laws to City Council.

Department of Urban Planning and Public Works to prepare:

- a. implementing zoning by-law.
- b. prepare and circulate notice of the Official Plan adoption to those persons and public bodies who requested notification; and
- c. submit the Official Plan amendment and the required documentation to the Regional of Ottawa-Carleton for approval.

## List of Supporting Documentation

Document 1	Proposed Amendment to City of Ottawa Official Plan
Document 2	Explanatory Note
Document 3	Details of Recommended Zoning
Document 4	Location Map
Document 5	Municipal Environmental Evaluation Process Checklist (on file with City Clerk)
Document 6	Compatibility with Public Participation Policy/Input From Other Departments or Other Government Agencies

Official Plan Amendment ■ Modification du Plan directeur

# Land use Utilisation du sol



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THE STATEMENT OF COMPONENTS

Part A - THE PREAMBLE, introduces the actual Amendment but does not constitute part of Amendment No. to the City of Ottawa Official Plan.

Part B - THE AMENDMENT, consisting of the following text and maps constitute Amendment No. to the City of Ottawa Official Plan.

## PART A - THE PREAMBLE

### 1.0 Purpose

The purpose of this Amendment is to create a Site Specific Policy to permit a limited amount of office use within the Ottawa Life Sciences Technology Park.

### 2.0 Location

The lands affected by the subject Amendment are located north of Smyth Road, east of the Ottawa General Hospital complex, south of a hydro corridor adjacent to the Riverview Park community and west of the Perley and Rideau Veterans' Health Centre, and occupy all of the Ottawa Life Sciences and Technology Park. The site is served by two public streets, Peter Morand Crescent and Roger Guidon Drive, which have access to Smyth Road.

### 3.0 Basis

#### 3.1 Background

The subject property is designated Major Institutional Area on Schedule "A" - Land Use, of the City of Ottawa Official Plan. This designation is generally intended to promote and facilitate the provision of a range of uses on major institutional lands which are compatible with both the institution and the adjacent neighbourhood. These designations are generally located on large parcels of land and are characterised by uses which serve all parts of the City. This designation includes, but is not limited to, hospitals, post-secondary educational facilities, jails and detention centres and major health care complexes and related research facilities.

The subject property is also the subject of a rezoning application. The lands include all of the property within the Ottawa Life Sciences and Technology Park. The Park is located within the eastern portion of a larger Major Institutional Area designation associated with the Ottawa General Hospital complex (Ottawa Health Sciences Centre). The plan for the Park was approved by City Council on October 16, 1991. The plan envisioned a research and technology park which would contain land uses catering to medical research and technology, and related laboratory functions within a campus-type setting. To date, there is one building within the Park which has an area of 3,716 square metres ( 40,000 sq.ft), which is a multi-tenant facility constructed in 1994 by the Province of Ontario, who are still the owners today. The facility houses research and development facilities, laboratories and offices.



### 3.2 Context of Amendment

The City of Ottawa Official Plan - Volume 1 (Primary Plan), identifies policies and objectives which recognize the changing nature of major institutions. Strategic Approach 10.1.3 of the Institutional Areas chapter of the Plan, recognizes the changing nature of major institutions, as these facilities evolve from providers of specific community services to ones that aspire to a wider range of functions. In addition, it is a strategic aim to broaden the City's employment base away from the traditional dominance of government employment, to providing a municipal environment which is conducive to the growth, attraction and establishment of businesses and institutions.

Within the Official Plan, Policy 10.2.2 e) identifies that pending a review of Major Institutional Areas to determine the provision of ancillary uses within this designation, an amendment to the zoning by-law is required to allow ancillary uses. In addition, the policy states: i) the uses are to be clearly secondary to, and supportive of, the primary institutional use; and ii) it can be demonstrated that such uses are not more appropriately located in another area designated on Schedule "A" - Land Use. The proposed addition of limited office use within this Major Institutional Area designation, in proximity to the adjacent medical institution, also necessitates the establishment of a Site Specific Policy within the Official Plan permitting the limited office use within the Park.

### 3.3 Site Specific Policy

It is proposed to add a Site Specific Policy to the Official Plan affecting the subject lands which would contain a provision permitting a limited amount of office use within the Park. The provision will limit the amount of office use within the Park in order to ensure that the existing research and technology aspect of the Park is maintained as the primary function. As the entire Park is within one zoning designation, specific reference to the amount of gross floor area of office permissible will be established. The Site Specific Policy is intended to allow for more flexibility within the Major Institutional Area designation of the Park by identifying specific ancillary uses.

### 3.4 Rezoning

The amendment to the City's Comprehensive Zoning By-law (By-law, 1998) is being reviewed concurrently with this Amendment. The proposed zoning amendment will provide the tools to limit the amount of office space permitted within the Park, which will maintain a majority of the space associated with research and technology already permitted within the existing zoning.

## **PART B - THE AMENDMENT**

### 1.0 THE INTRODUCTORY STATEMENT

All of this part of the document, entitled Part B - The Amendment, consisting of the following text and maps, constitutes the Amendment to the City of Ottawa Official Plan.

### 2.0 DETAILS OF THE AMENDMENT

#### 2.1 The City of Ottawa Official Plan

The City of Ottawa Official Plan is hereby amended as follows:

- i) In Volume I, Schedule A - Land Use, is amended to add the symbol for Site Specific Policy (SSP) to a portion of the Major Institutional Area designation located north of Smyth Road and bounded generally by hydro utility corridors on the south, east and west, as Shown on Schedule "B" attached hereto.
- ii) In Volumes I and II, the Table of Contents is amended to add the following text under the heading SITE SPECIFIC POLICIES, immediately after the reference to 17.0 Scott/Wellington Area:

“18.0 Ottawa Life Sciences and Technology Park”

- iii) In Volume II, a new Site Specific Policy, entitled “18.0 Ottawa Life Sciences and Technology Park” which includes Figure 1.0 attached hereto as Schedule “C”, is added to the section Secondary Policy Plans/Site Specific Policies, immediately following Site Specific Policy 17.0. The text for this new Site Specific Policy is as follows:

18.0 Ottawa Life Sciences and Technology Park

18.1 Description of Area

These policy provisions shall apply to the lands located north of Smyth Road, east of the Ottawa General Hospital complex, south of a hydro corridor adjacent to the Riverview Park community, and west of the Perley and Rideau Veterans' Health Centre, and occupy all of the Ottawa Life Sciences and Technology Park as shown on Figure 1.0.

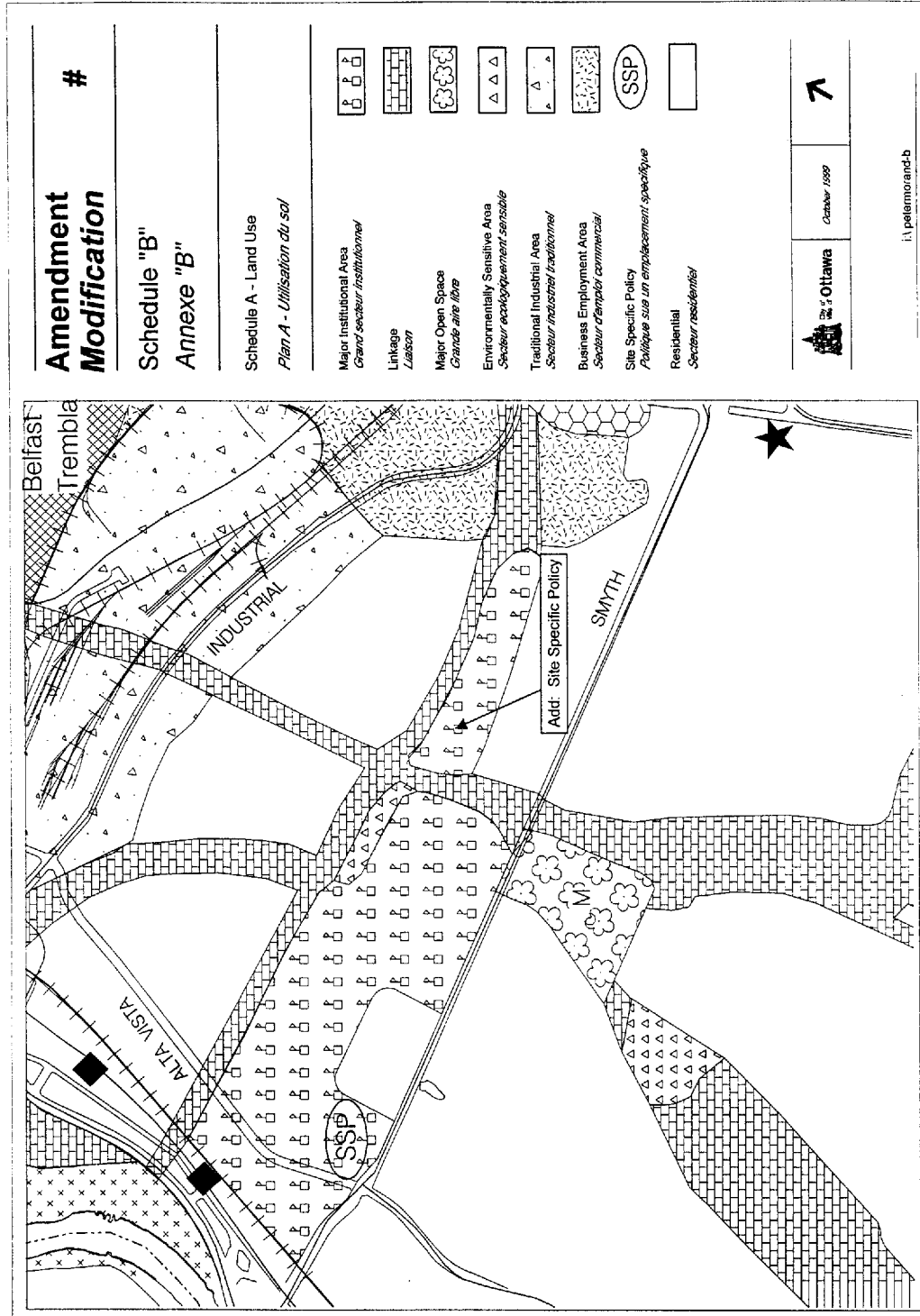
18.2 Establishment of Office Use

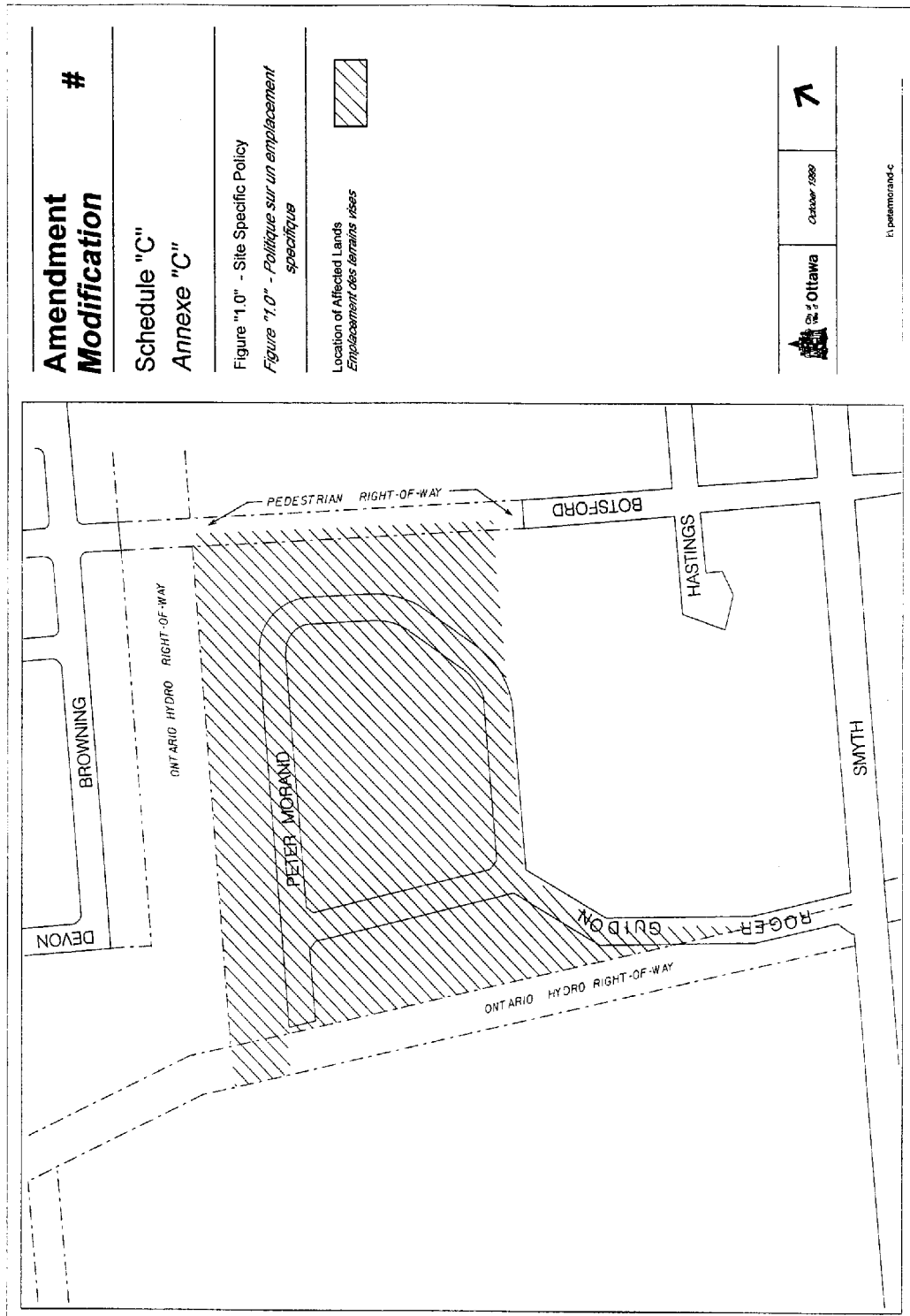
Notwithstanding its designation as a Major Institutional Area on Schedule A - Land Use, stand-alone office accommodation shall be permitted as an ancillary use within the Ottawa Life Sciences and Technology Park. Said office accommodation shall remain subordinate, in terms of permissible development potential, to the existing functions permitted and associated with the Major Institutional designation of the laboratory, research and technology functions of the Park.

3.0 Implementation and Interpretation

Implementation and interpretation of this Site Specific Policy shall be made having regard to applicable policies set out in Volume 1 - Primary Plan of the City of Ottawa Official Plan.







THE FOLLOWING IS AN EXPLANATORY NOTE TO BY-LAW -99

By-law number -99 amends Zoning By-law, 1998, the City's Comprehensive Zoning By-law.

The applicants are proposing to add limited office use as a permitted use within the subject lands. The current zoning designation of the Ottawa Life Sciences and Technology Park (Park) relates primarily to permitting laboratories and research and development uses. The applicants wish to broaden the scope of these uses by adding limited office to, in part, assist in spurring development within the Park. The subject property is located north of Smyth Road, east of the Ottawa General Hospital complex, south of a hydro corridor adjacent to the Riverview Park community and west of the Perley and Rideau Veterans' Health Centre and occupies all of the Ottawa Life Sciences and Technology Park.

Current Zoning

The current zoning of the subject property is I2D [300] F(0.5) Sch.71. This is a major institutional zone permitting all the uses in the standard I2 zone with the addition of laboratory as a permitted use. In addition, laboratory and research and development centre do not have to be on the same lot as the standard permitted uses, and the requirement that the cumulative total of the gross floor area occupied by these uses does not exceed 10% of the floor space index of the lot, or 55,740 square metres, whichever is less, does not apply. Other regulations relate to prohibiting obnoxious or offensive odours from the permitted uses, locating all storage within the principle use building, landscaping the total land area, and to lot size, parking and loading spaces. Further, exception [300] outlines provisions within Schedule 71 providing for a maximum building height of 15 metres for Area "A", 10.7 metres for Area "B", and that at least 40% Areas "A, B and C" must be landscaped area.

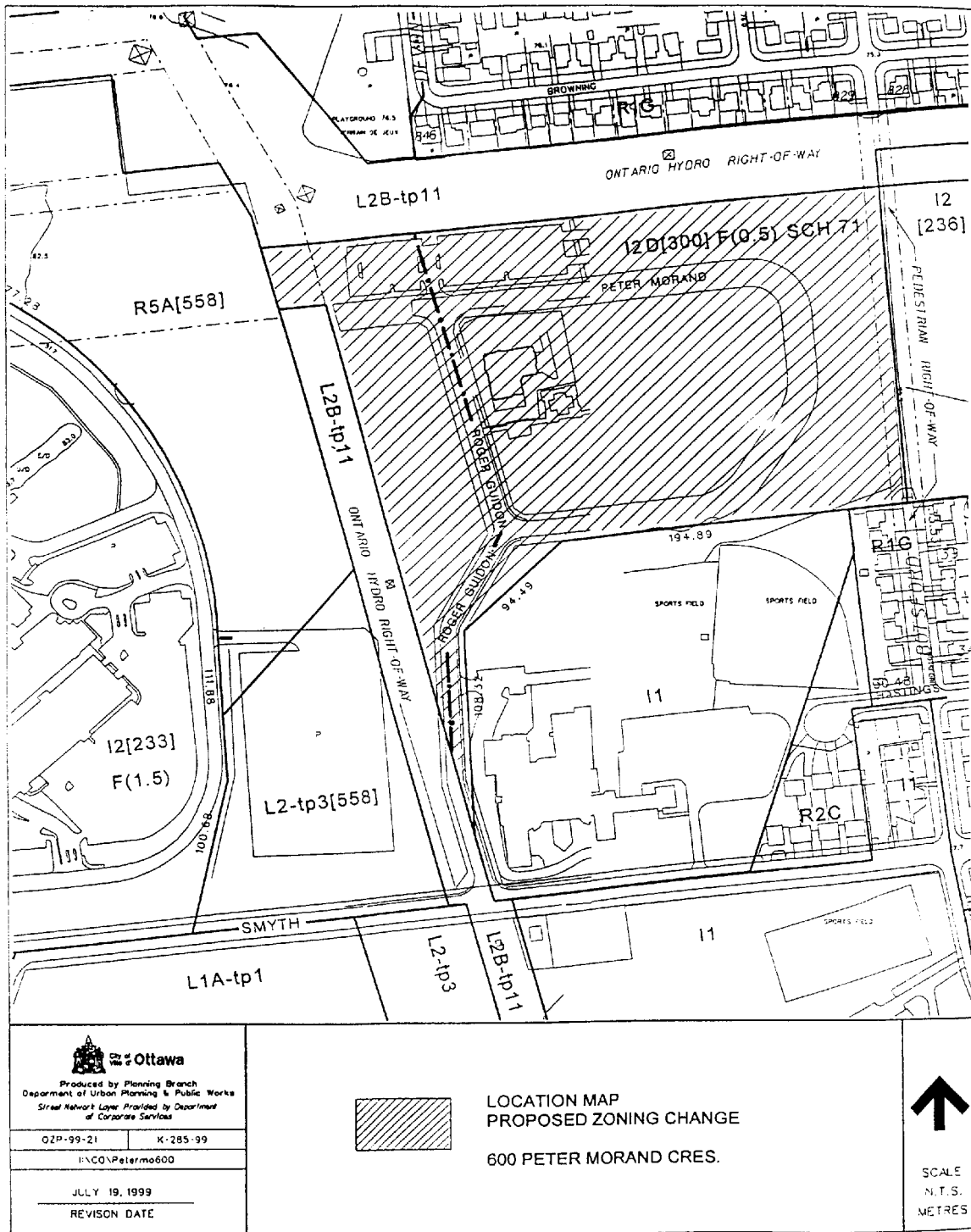
Proposed Zoning

The proposed zoning is to add limited office use within the existing zone. The permitted area of office space within the subject zone would be limited to a maximum floor space index of 0.24. While the subject lands are not a prime location for office use, the proposal will allow some flexibility in attracting future development to the Park and would maintain the primacy of the existing research and development uses.

DETAILS OF RECOMMENDED ZONING

1. That the I2D [300] F(0.5) Sch.71 zone be amended by adding office as a permitted use, limited to a maximum floor space index of 0.24, within the zone.





## **COMPATIBILITY WITH PUBLIC PARTICIPATION POLICY**

### NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures carried out in accordance with Early Notification Procedure P&D/PPP/N&C #1 approved by City Council for Official Plan and Zoning Amendments.

### SUMMARY OF PUBLIC INPUT

There were thirteen responses to the public notification, which outlined the following concerns:

1. The addition of office use would add additional traffic within the neighbourhood and Smyth Road is already overloaded with traffic for most of the daylight hours.
2. Amendment would open door for further development which would funnel thousands of additional workers into that complex.
3. Proposed amendment is regressive and not in the best interest of the community and will result in the further erosion of existing building height standards, increased traffic, as well as more parking problems.
4. Research Park ill conceived, with only one small building is a failure and the addition of office use would add to this.
5. Inadequate parking allowance for office zoning.
6. Zoning for office use should be on a site-specific basis to cover actual needs not entire Park.
7. City should put a freeze on all development in the area until a comprehensive plan for parking, transportation, traffic and access for all vacant lands from Alta Vista to Botsford.
8. Opposed to any zoning change without full consultation with community.
9. Expect process to be halted until such time as communication occurs with community.

### Response

1. The Licencing, Transportation and Buildings Branch has indicated that the addition of office use to the list of permitted uses would not have any appreciable effect on traffic generation from that which currently exists.

2. The proposed amendments will not add any new development potential within the subject lands beyond what currently exists.
3. The proposed amendments are viewed as positive and have been made in an effort to stimulate interest and potential development within the Business Park. As outlined above, there is not anticipated to be any increase in traffic, there is no request for a building height increase, and parking will be accommodated on-site.
4. The proposed amendments are intended to stimulate development within the Park, as the development interest within the Park has been less than anticipated. Permitting a limited amount of office use within the Park is expected to enhance interest in potential development, while maintaining the primacy of the research and development component.
5. While the parking standards for office use is not being considered as part of this application, there is no evidence to suggest the current standards are inadequate.
6. As outlined above, the proposed amendments are intended to stimulate development within the whole Park.
7. The proposed amendments will not add any additional development potential to the Park beyond what is currently permitted.
8. The standard public consultation procedures for Official Plan and Zoning By-law amendments have been followed with regard to the subject applications.
9. As the standard notification procedures have been complied with, there is no apparent reason to delay the subject applications.

#### **APPLICATION PROCESS TIMELINE STATUS**

The applications which were submitted on July 13, 1999, were subject to a project management timeline, as recommended by the "A Better Way Task Force". Process charts which established critical milestones, were prepared and circulated as part of the technical circulation and early notification process. The applications were processed three weeks beyond the established timeframe as a result of a requested revision to the applications and consideration of the amendment.

#### **COUNCILLOR'S COMMENTS**

Councillor Alan Higdon is aware of these applications.

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November 1, 1999

ACS1999-PW-PLN-0127  
(File: OZP99-14)

Department of Urban Planning and Public  
Works

Ward/Quartier  
OT5 - Bruyère-Strathcona

- Planning and Economic Development  
Committee / Comité de l'urbanisme et de  
l'expansion économique
  - City Council / Conseil municipal
- Action/Exécution

**2. Zoning - 245-249 Dalhousie Street**  
**Zonage - 245-249, rue Dalhousie**

**Recommendations**

1. That the application to amend the *Zoning By-law, 1998*, as it applies to 245 - 249 Dalhousie Street, from CG General Commercial zone, to CG11 General Commercial Sub Zone with an exception, to permit a hotel, be APPROVED, in accordance with the details in Document 2.
2. That the application to amend the *Zoning By-law, 1998*, as it applies to 245 - 249 Dalhousie Street to permit a parking lot be REFUSED.
3. That an amendment to the *Zoning By-law, 1998*, as it applies to 245 - 249 Dalhousie Street, to permit a parking lot for a temporary period of three years, be APPROVED, in accordance with the details in Document 2.

November 2, 1999 (11:35a)

Edward Robinson  
Commissioner of Urban Planning and Public  
Works

REK:rek


Contact: Robert Konowal 244-5300, ext. 3869

November 2, 1999 (1:44p)

Approved by  
John S. Burke  
Chief Administrative Officer

## Financial Comment

N/A.

  
November 2, 1999 (10:52a)

for Mona Monkman  
City Treasurer

BH:cds

## Executive Report

### Reasons Behind Recommendations

#### Background

The subject property, 245 - 249 Dalhousie Street, is currently used as a parking lot. The parking lot is located at grade and is unenclosed by a building or structure. It has been determined that the property enjoys a non-conforming right to operate a parking lot for a portion (approximately 55%) of the property. The use of the balance of the property for parking was approved by the Committee of Adjustment for a temporary period of three years which expired May 10, 1999. The applicant is now requesting that the zoning of the property be amended to include a parking lot as a permitted use.

The subject property was formerly developed with a hotel, a legal non-conforming use. The hotel was demolished in 1995 as a result of fire. The applicant is now requesting that the zoning of the property be amended to include a hotel as a permitted use.

#### Recommendation 1.

The recommendation to permit a hotel is based on the following points of consideration:

#### Site Location and Land Use Compatibility

The subject property is located along a collector roadway at the edge of existing residential development. The subject property is already zoned for commercial purposes and forms part of an existing linear commercial strip that extends north along Dalhousie Street from St. Patrick Street. South of St. Patrick Street is the ByWard Market, a major commercial tourist area. A hotel use is considered to be both an appropriate and compatible use given this location and land use context.

The use of the property for a hotel will be governed by the regulations of the Heritage Overlay for the area. In this case, a future hotel will be restricted to the height, bulk, size,

floor area, spacing and location of the previous building as it existed prior to its removal or destruction. The previous building which was used as a hotel, was three storeys in height, approximately 1300 sq. m. in area and covered the southerly 22 metres (45%) of the site. This building envelope will provide for a modest-sized hotel with a scale and intensity in keeping with surrounding development.

### Recommendation 2.

The request to permit a parking lot is recommended for REFUSAL based on the following points of consideration:

#### 1. General Commercial Zone - Zoning Strategy

The General Commercial Zone has been applied to those properties designated “Residential” in the Official Plan. This zoning category is intended accommodate those commercial uses that are considered to be sensitive to surrounding residential development. Parking lots have generally not been deemed to be appropriate in residentially designated areas.

#### 2. Heritage Conservation and Urban Design Considerations

Approximately one-half of the subject property is located within the Byward Market Heritage Conservation District and the other half within the Lowertown West Conservation District. The subject property has considerable frontage (approximately 51 metres) along an older pedestrian-oriented commercial street. The use of the subject property for surface parking is considered to detract from the heritage character of an area and does not contribute to or reinforce the pedestrian-oriented environment that is desired.

### Recommendation 3.

The recommendation to permit a parking lot for a temporary period of three years is based on the following points of consideration:

#### Existing Conditions

The subject property is currently vacant (i.e. no buildings). This vacancy results from fire and not the demolition of a heritage structure. A parking lot is considered to be an acceptable use on an interim basis pending redevelopment of the property for a permitted use under the By-law. Temporary approval will provide some incentive to resolve the long term use of this property.

It is noted that approval of a temporary zoning over the entire property will result in the loss of non-conforming rights to a portion of the site once the temporary period expires. However this loss comes with the gain of a temporary expansion of the public parking lot.

## Consultation

There was no response to Early Public Notification. Councillor Stéphane Énard-Chabot indicated he had no objection to the application.

## Disposition

Department of Corporate Services, Statutory Services Branch to notify the Agent and Applicant (Louise Huot and Marc LePage, 2202-160 George Street, Ottawa, Ontario, K1N 9M2), and the Regional Municipality of Ottawa-Carleton, Development Approvals Division, of City Council's decision.

Office of the City Solicitor to forward implementing by-laws to City Council.

Department of Urban Planning and Public Works to prepare and circulate the implementing zoning by-laws.

## List of Supporting Documentation

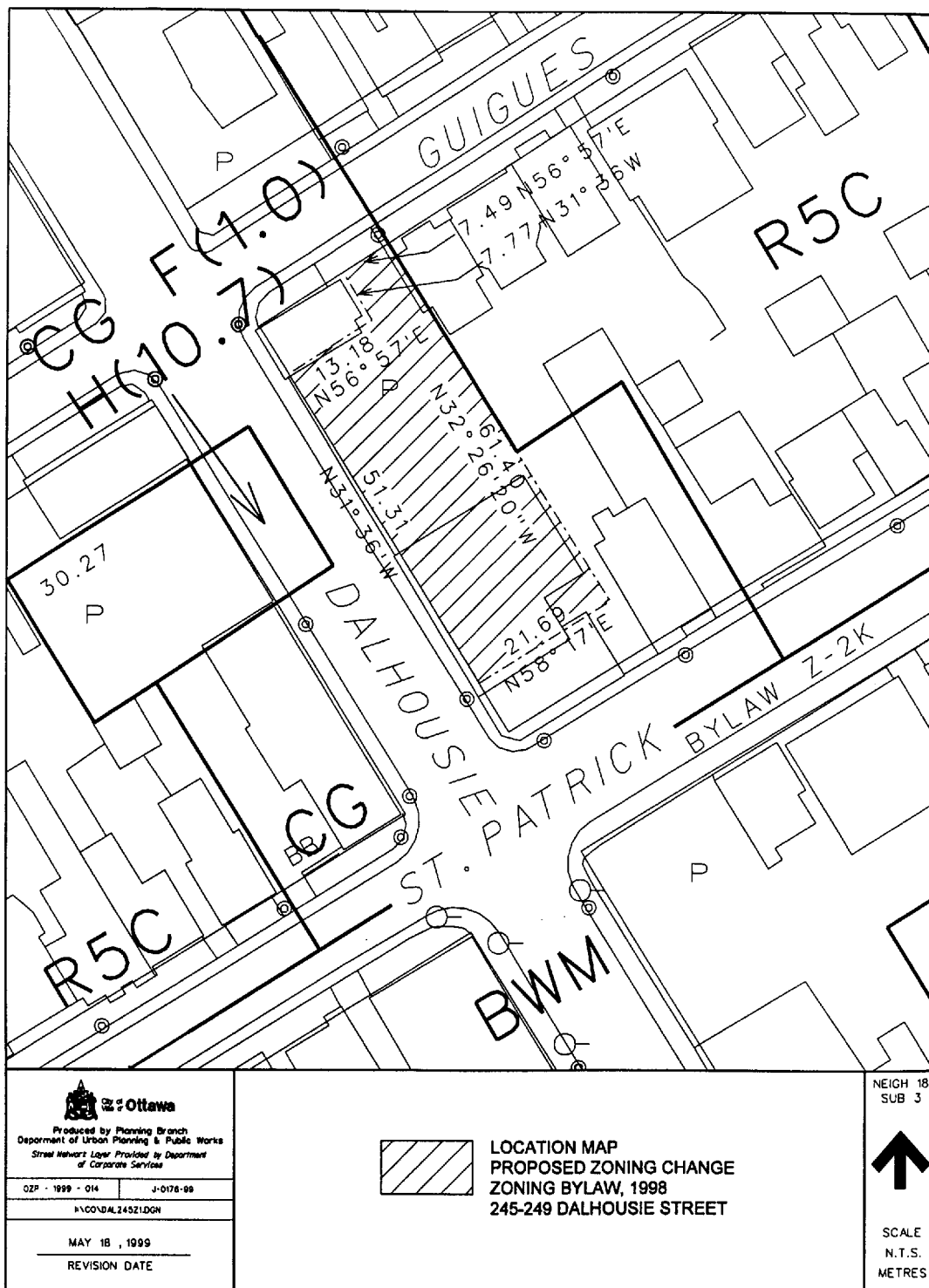
Document 1	Location Map
Document 2	Details of Proposed Amendment
Document 3	Photos of Subject Property
Document 4	Explanatory Note to By-law
Document 5	Consultation Details
Document 6	Municipal Environmental Evaluation Report (on file with City Clerk)



Part II - Supporting Documentation

Location Map

Document 1



Photos of Subject Property

Document 2



245 - 249 Dalhousie Street  
Looking south from west side of Dalhousie Street at Guigues Street



245 -249 Dalhousie Street  
Looking north from east side of Dalhousie Street at St. Patrick Street

CG11 Subzone to apply with following exceptions:

1. A parking lot is prohibited.
2. Section 375 requiring the entire ground floor to be occupied by those commercial uses specified in Section 340 does not apply.
3. A parking lot is permitted for a temporary period of three years.

THE FOLLOWING IS AN EXPLANATORY NOTE TO THE *ZONING BY-LAW, 1998*

By-law Number \_\_\_\_-99 amends the *Zoning By-law, 1998*, the City's Comprehensive Zoning By-law. The amendment affects those lands known municipally as 245 - 249 Dalhousie Street and is shown on the attached Location Map. The intent of the zoning amendment is to permit a hotel and a parking lot. The parking lot will be permitted for a temporary period of three years.

## CURRENT ZONING

The current zoning of the property is CG, a General Commercial Zone which permits a range of commercial uses. The CG zone does not permit use of the property for a parking lot or hotel.

## PROPOSED ZONING

The proposed CG11, General Commercial Sub Zone would permit a hotel in addition to the standard list of permitted uses. An exception to the CG11 General Commercial Sub Zone would prohibit a parking lot as a permitted use but would permit a parking lot for a temporary period of three years.

This constitutes the proposed amendment to the *Zoning By-law, 1998*. For further information on this amendment, contact Robert Konowal at 244-5300, ext. 1-3869.

NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures were carried out in accordance with Early Notification Procedure P&D/PPP/N&C #1 approved by City Council for Zoning Amendments.

SUMMARY OF PUBLIC INPUT

There was no response to Early Notification.

APPLICATION PROCESS TIMELINE STATUS

The application which was submitted on May 11, 1999, was subject to a project management timeline, as recommended by the "A Better Way Task Force", and a process chart which established critical milestones was prepared. A Mandatory Information Exchange was undertaken by staff with interested community associations since the proponent did not undertake Pre-consultation.

This application was not processed within the maximum 135 calendar day timeframe established for the processing of zoning applications. The processing of this application was initially delayed at the request of the applicant. The application experienced further delay due to other Planning Branch commitments experienced during the processing period. However, no Building Permit has been delayed as a result of this application timeline.

**INPUT FROM OTHER DEPARTMENTS OR OTHER GOVERNMENT AGENCIES**COUNCILLOR'S COMMENTS

Councillor Stéphane Émard Chabot indicated he had no objection to the application.

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November 1, 1999

ACS1999-PW-PLN-0145  
(File: OZP99-18)

Department of Urban Planning and Public  
Works

Ward/Quartier  
OT5 - Bruyère-Strathcona

- Planning and Economic Development  
Committee / Comité de l'urbanisme et de  
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

**3. Zoning - 246-254 Rideau Street - To permit surface parking for a temporary period of three years.**

**Zonage - 246-254, rue Rideau - Permettre le stationnement de surface pour une période de trois ans (OZP99-18)**

**Recommendations**

1. That an amendment to By-law Number Z-2K, from C2-x (8.0) [47] to C2-x-tp (8.0) [47] to permit surface parking for a temporary period of three years at 246-254 Rideau Street be **REFUSED**.
2. That an amendment to Zoning By-law, 1998, to permit a surface parking lot for a temporary period of three years at 246-254 Rideau Street be **REFUSED**.

November 2, 1999 (11:59a)

Edward Robinson  
Commissioner of Urban Planning and Public  
Works

November 2, 1999 (2:01p)

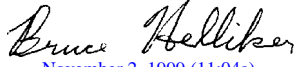
Approved by  
John S. Burke  
Chief Administrative Officer

CL:cl

Contact: Charles Lanktree - 244-5300 ext. 1-3859

## Financial Comment

N/A.

  
November 2, 1999 (11:04a)

for Mona Monkman  
City Treasurer

BH:cds

## Executive Report

### Reasons Behind Recommendations

This is the fourth application for temporary zoning to permit surface parking at this property. Following a fire which destroyed the original building in the fall of 1987 an application was approved by the Committee of Adjustment to permit surface parking for a temporary period of two years. In response, a report was brought forward from planning staff recommending appeal of this ruling as it was considered to be outside of the jurisdiction of the Committee of Adjustment. A directive was then made by the Planning Committee to appeal the ruling and to bring a report forward concerning the rezoning of the property for temporary surface parking. City Council on December 21, 1988, approved both the staff recommendation to appeal the Committee of Adjustment decision and the Planning Committee recommendation to rezone the property to allow for a temporary surface parking lot for a period of two years subject to Site Plan Approval. By-law 48-89 was enacted on March 1, 1989, to establish that zoning.

Two extensions have been granted to this temporary zoning since the original approval. The first extension was granted by City Council on February 20, 1991, for a period extending from February 28, 1991, to July 14, 1993. A second extension was granted by City Council on January 19, 1994, for a period of three years. By-law 36-94 was passed on February 16, 1994 to enact this temporary zoning. The most recent application for extension of the temporary zoning was refused by City Council at its meeting of December 3, 1997. The owners of the property have now returned with a new application for temporary zoning to permit a parking lot which is not in a building or structure.

The Central Area Parking Study Update of 1995 indicates that there is sufficient parking to meet the demand in this area. It is recognized that new mixed-use developments have occurred on the east side of the canal since this matter was last considered and that these projects have reduced the number of surface parking spaces in and around the By Ward Market. However, the number of spaces affected represents a relatively small number of the overall parking supply in the area. Although the loss of these surface spaces is by nature visible, indications are that the new developments now being undertaken on National Capital



Commission lands will replace those spaces within new parking structures. Also, if the Conference and Trade Centre project were to proceed, it would add considerably to the overall public parking supply east of the Canal. Therefore, even though the subject property is removed from the area impacted by these changes, the fluctuations in parking supply are relatively minor and will be compensated for with development that is currently underway or on the horizon.

City Council may adopt temporary use by-laws in accordance with the Temporary Use Provisions of the Official Plan [13.17.1 a), b)], however, policy 5.9.2.2 f) of the Central Area Chapter states that temporary surface parking is discouraged. Therefore, due to this more specific direction with respect to temporary surface parking in the Central Area policy 5.9.2.2 f) takes precedence in the consideration of this application. City Council shall, in determining the use of policy 5.9.2.2 f), take into account specific parking strategies in the Central Area Secondary Policy Plan.

- The parking strategy for the Rideau Theme Street (1.12.3 j) states that the parking needs of the area should be assessed and, if needed, additional short-term parking spaces should be located within mixed-use development on the edges of the adjacent Character Areas. The 1995 Central Area Parking Study Update surveyed the parking utilization in this area. This study demonstrated that the area around the subject site, as well as the block where the property is located, has a relatively low utilization for public off-street parking which indicates that there is no need for additional off-street parking. Also, as the subject site fronts and accesses directly to Rideau Street and by its nature is not provided within a mixed-use development, as is the direction of the Rideau Street parking strategy, the proposed temporary surface parking lot cannot be considered to conform with the OP policy.
- The parking strategy further states that City Council shall facilitate continuous pedestrian and vehicular movement along Rideau Street by generally requiring that appropriate off-street loading and vehicular access occur from nearby streets. As the driveway access to this parking lot is off of Rideau Street and as the property has no access to Besserer Street, it cannot conform to the OP policy direction in this regard.

The subject lands are designated “Central Area” in the Regional Official plan. Providing additional parking is not supportive of policy 3.4.2.9 of the Regional Official Plan, which is to provide a transportation system that encourages walking, cycling and public transit (especially for commuting) as the principal means of access to and within the Central Area.

It should also be noted that a review of existing temporary surface parking lots has revealed that these lots are generally used for long-term commuter parking and not short-term parking for shoppers. While short-term parking may be permitted and even encouraged where needed, long-term parking conflicts with the Official Plan policy direction to promote public transit usage and reduce carbon emissions related to automobile usage.

Staff are in the process of finalizing a set of recommendations concerning temporary surface parking which will proceed to Planning and Economic Development Committee and City Council before the end of the year.

### Economic Impact Statement

The use of this property for public parking would have no appreciable economic impact on the City.

### Consultation

Action Sandy Hill responded to the public notification of this application in opposition.

### Disposition

Department of Corporate Services, Statutory Services Branch to notify the owner (P.O. Box 35072, Westgate P.O., K1Z 1A2), agent (300-39 Robertson Road, Nepean, Ontario, K2H 8R2) and the Regional Municipality of Ottawa-Carleton, Plans Administration Division, of City Council's decision.

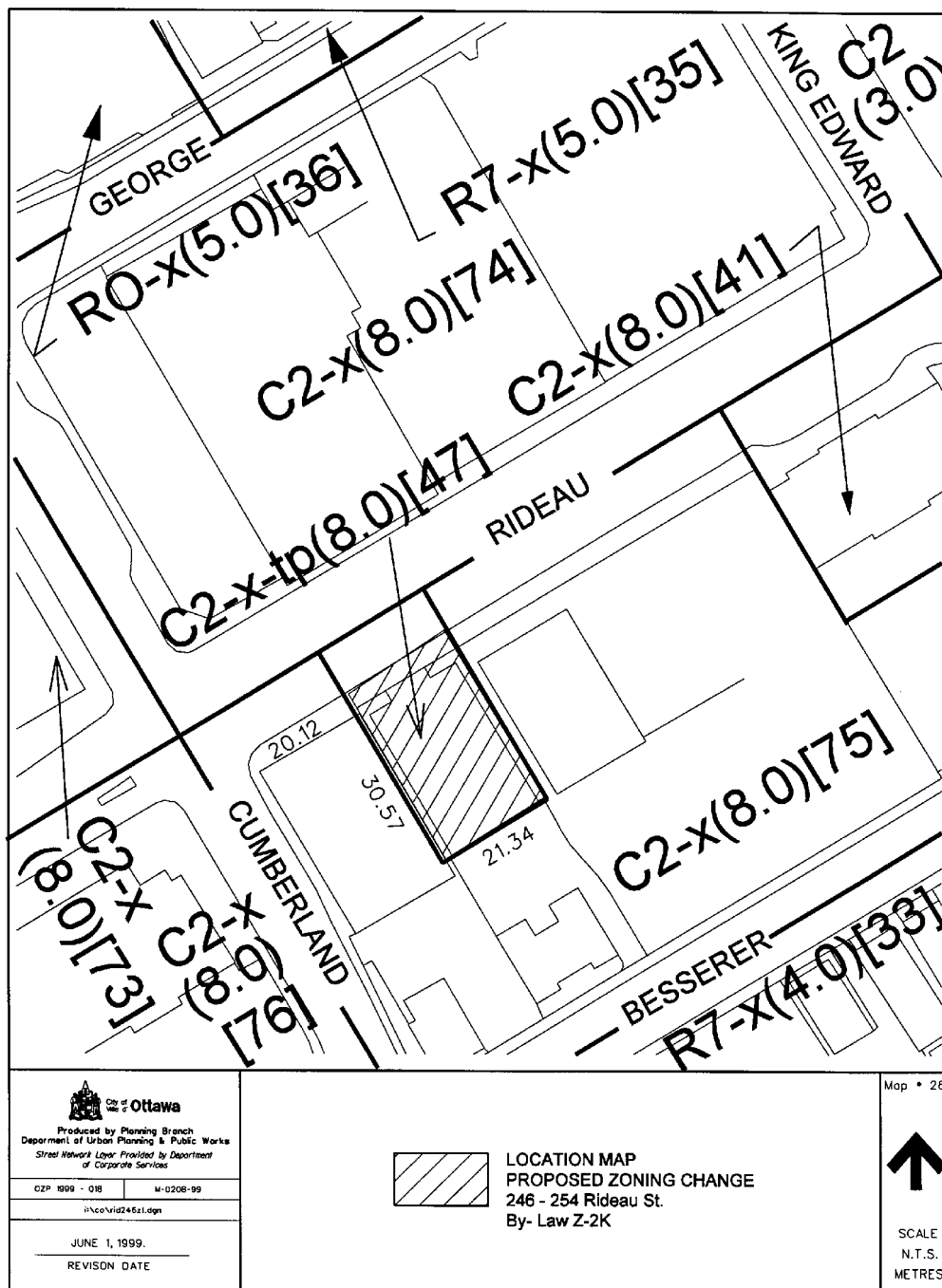
### List of Supporting Documentation

- |            |   |
|------------|---|
| Document 1 | Location Map  |
| Document 2 | Municipal Environmental Evaluation Checklist (MEEP) on file with the City Clerk |
| Document 3 | Consultation Details  |

Part II - Supporting Documentation

Location Map

Document 1



**Consultation Details**

Document 3

Notification and consultation procedures carried out in accordance with the early notification procedure P&DPPP/N&C#1 approved by City Council for Zoning Amendments.

Supplemental Notification and Consultation

This application was circulated to LACAC and the Environmental Advisory Committee, however, no comments were received in response.

Public Comments

Action Sandy Hill is very unhappy about this application because it was symptomatic of a growing and depressing trend towards the deterioration of Rideau Street from the vibrant commercial entity which was envisaged in the Regionally-approved vision for Ottawa's Central Area. We thus question any proposal which would have the effect of disturbing the continuous flow of viable retail and other public establishments along the whole of Rideau Street. As for this particular site, situated as it is between Dworkin Furs and the office building housing a branch of the National Bank, this would seem to be an especially appropriate site for an up-scale commercial establishment. We are aware that the argument has recently been adduced that the amount of parking spaces in the By-ward Market area has been significantly reduced - the new U.S. Embassy site was once a parking lot - making the Dworkin parking lot more viable. We do not believe such an economic view should override the need to sustain the requirements of the officially-approved planning concept for the Central Area; it is inconsistent with reducing traffic in the inner city. Moreover, we have had the experience of the temporary use of empty lots for parking that becomes too often a permanent solution when what we want for this area in conjunction with the Region of Ottawa-Carleton is a Rideau Street Beautification Project to be implemented beyond the year 2000. The Dworkin parking lot proposal is inconsistent with anybody's plans to make something serious and appealing out of an increasingly shabby Rideau Street that hardly needs yet another ugly surface parking lot.

Quite apart from these general principles, there are some practical problems associated with this particular site. Parking sites on Rideau Street represent a traffic hazard on a busy thoroughfare, especially when the only access is from that street, as is the case for the Dworkin parking lot. Added to the difficulty is the traffic flow in and out of the Loeb parking lot from the north side - soon to be shared with the LCBO megastore - while there is another large parking lot on the south side of Rideau sharing the same block. Rideau Street is heavily used by trucks, buses and cars trying to go by the King Edward and Waller area rendering that portion of the road one of the most heavily used in Ottawa-Carleton. King Edward and Rideau, according to a study by the Regional Municipality of Ottawa-Carleton, is the busiest and most dangerous traffic intersection of the region. During rush hours, vehicles entering these parking lots from the opposite side of the street must bring traffic to a slow-down or halt in any of three lanes. The area is already burdened with traffic problems

including traffic flow and accidents and cannot absorb more. We must avoid another parking lot in an already saturated block that is dangerous to pedestrians, cars, trucks and buses.

Application Process Timeline Status

This application, which was submitted on May 25, 1999, was subject to a project management timeline, as recommended by the "A Better Way Task Force", and a process chart which established critical milestones was prepared. A Mandatory Information Exchange was undertaken by staff with interested community associations since the proponent did not undertake Pre-consultation.

This application processed within the fourteen to twenty week timeframe established for the processing of Zoning Amendment applications.

Councillor's Comments

Councillor Stéphane Émard-Chabot is aware of this application.

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# Backgrounder

November 2, 1999

ACS1999-PW-PLN-0048

## **4. Official Plan/Zoning Amendments - Temporary Surface Parking in the Central Area and Inner City Residential Districts**

### **Modification du plan directeur et du zonage - stationnement en surface temporaire dans l'aire centrale et dans les secteurs résidentiels de l'hyper-centre**

#### **Issue**

- in 1996, Council directed staff to conduct a study of temporary surface parking in the Central Area and inner city neighbourhoods.
- purpose of the study: to review parking supply information needed to support City policy on temporary parking; assess effectiveness of the policy in implementing Official Plan on temporary parking; and determine how to clarify Council's position on this issue.
- surface public parking has been restricted as a permitted use in the Central Area as a result of direction from Council and the Official Plan, which deems such parking to be detrimental since it encourages automobile use and pollution and has negative impacts on pedestrians.
- since 1986, there have been many requests for zoning to permit surface parking lots in the Central Area and inner city neighbourhoods.

#### **What's New**

- a number of amendments are proposed to the Official Plan and the City's comprehensive Zoning By-law in order to clarify Council's position on this issue.

#### **Impact**

- the policy to discourage temporary surface parking is consistent with the intent to provide a transportation system that encourages the use of walking, cycling and public transit (especially for commuting) as the principal means of improving access to and mobility within the Central Area.

**Contact: Author - Charles Lanktree - 244-5300 ext. 3859**

**Chief Communications Officer - Lucian Blair - 244-5300 ext. 4444**



November 2, 1999

ACS1999-PW-PLN-0048  
(File: OCS3041-110)

Department of Urban Planning and Public  
Works

Ward/Quartier  
OT5 - Bruyère-Strathcona  
OT6 - Somerset

- Planning and Economic Development  
Committee / Comité de l'urbanisme et de  
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

#### **4. Official Plan/Zoning Amendments - Temporary Surface Parking in the Central Area and Inner City Residential Districts**

**Modification du plan directeur et du zonage - stationnement en surface  
temporaire dans l'aire centrale et dans les secteurs résidentiels de  
l'hyper-centre**

#### **Recommendations**

1. That amendments to the Official Plan concerning Temporary Surface Parking in the Central Area and Inner City Neighbourhoods be **APPROVED** as set out in the attached Document 1.
2. That Zoning By-law Z-2K and Zoning By-law, 1998 be amended as described in Document 2.

November 4, 1999 (9:41a)

Edward Robinson  
Commissioner of Urban Planning and Public  
Works

November 15, 1999 (1:09p)

Approved by  
John S. Burke  
Chief Administrative Officer


CL:cl

Contact: Charles Lanktree - 244-5300 ext. 1-3859



## Financial Comment

N/A.

  
November 4, 1999 (9:00a)

for Mona Monkman  
City Treasurer

BH:cds

## Executive Report

### Reasons Behind Recommendations

#### Background

In November of 1996 staff initiated a study of temporary surface parking in the Central Area and inner city neighbourhoods as directed by City Council. The objectives of this study as set out in the terms of reference were as follows:

- to review the parking supply information needed to support the City policy on temporary parking;
- to assess the effectiveness of the policy to implement the direction of the Official Plan concerning temporary parking; and
- to determine the means which should be utilized to clarify Council's position on this issue.

In fulfilment of the first two study objectives staff circulated a discussion paper in May, 1998 to the various stakeholders in this issue. The discussion paper documented the Official Plan policy review and analysis with respect to this issue, provided a zoning history relative the affected sites, and a survey of parking supply in the study with an explanation of its relationship to temporary surface parking.

The following rationale explains the means that are proposed to be utilized to clarify Council's position on this issue. These are proposed as a number of amendments to the Official Plan and the City's comprehensive Zoning By-law.

## Rationale

Surface public parking is not a permitted use across most of the Central Area as the predominant zoning districts in this area require public parking to be located in a building or structure. This is a specific zoning provision which follows from Official Plan (OP) policy to discourage surface public parking. Due to this specific policy and regulatory direction from City Council, surface public parking has been effectively restricted as a permitted use in the Central Area.

This approach to public parking proceeds from the history of deterrent policy related to this use. Following the 1975 Central Area Parking Study and the Open Space Policy Study of the same year, public parking was deleted as a permitted use in the C2 zone which is the predominant zoning in the Central Area. This was due to concern with the proliferation of unsightly surface lots at a time when many new municipal parking facilities were being constructed.

A further review of this issue by planning staff in 1986 revealed that the concern was primarily with surface lots on vacant land. It was determined that public parking could be located in a building or structure and not impact on the pedestrian environment. This would permit the then existing parking structures and a number of new developments with parking structures in the Central Area. Accordingly, City Council approved an amendment to the C2 zoning in the Central Area at that time to permit public parking if located in a building or structure.

However, since 1986 there have been a substantial number of requests for zoning to permit surface parking lots in the Central Area and inner city neighbourhoods. The Temporary Use Provisions of the Official Plan have been used as a means to permit surface parking in the face of Official Plan policy and zoning restrictions which discourage this use in the Central Area. The Temporary Use Provisions of the Official Plan, as enabled by Section 39 of The Planning Act, can be used as a basis for temporary zoning of a use for a maximum of three years which would not otherwise be permitted under the zoning by-law. The Ontario Municipal Board (OMB) has raised some concern with the wording of Section 13.17.1(a) of the OP which states that temporary use by-laws need not conform to the OP. The Planning Act in Section 24(1) states that by-laws must conform to the municipality's OP, including temporary use by-laws. Further, Section 39(1) of the Planning Act concerning temporary uses, allows for the passing of a temporary use by-law for a use that is otherwise prohibited by the comprehensive by-law but does not extend that privilege to allowing a use that is not in conformity with the OP. Given that this legal question has been raised it is recommended to amend the wording of Section 13.17.1(a) to bring it into conformity with the Planning Act.

Due to fires and other demolition activity more vacant sites are appearing and are becoming available for surface public parking. Construction activity has slowed since the beginning of the decade, with properties remaining vacant for extended periods. This has in turn caused an increase in the number of requests for extension of any existing zoning permission for

temporary surface parking. As a result, City Council and staff are experiencing increased demands to review these requests for temporary zoning to permit surface parking. Recent experience with the policy framework concerning temporary surface parking in the Central Area has shown the need for City Council to assess its position on this issue. The Local Architectural Conservation Advisory Committee (LACAC) has also recently expressed concern that this trend could significantly impact on the integrity of residential districts adjacent to the Central Area as existing building stock is removed and sites are cleared for surface parking.

Recent Ontario Municipal Board (OMB, "the Board") rulings with respect to properties in and adjacent to the Central Area indicate that there remains potential for confusion between the general policy direction to ensure an optimum (best) supply of parking within the Central Area and the specific policy which discourages temporary surface parking. While there is a need for greater analysis of relevant factors, such as parking supply, and the appropriateness of this temporary use in its physical context, it is most important to distinguish temporary surface parking as a minor component of the larger parking issue.

Temporary surface parking is considered by the Official Plan to be a detrimental land use within the Central Area as it encourages the use of private cars with their polluting emissions and negative impacts on the pedestrian environment. In order to address this issue a specific policy 5.9.2.2 f) was adopted in the Central Area Chapter of the Official Plan which, in association with other transportation and environmental strategies, is intended to discourage this use. A detailed policy analysis is provided in the attached "Discussion Paper: Temporary Surface Parking in the Central Area and Inner City Residential Districts" (Document 4) which explains the interrelationship of this policy with others in the Official Plan (see in particular the section titled 2.0 Official Plan - Policy Review and Analysis - Temporary Surface Parking [Section 5.9.2.2 f.]).

It should be noted that some of the Character Areas in the Secondary Policy Plan for the Central Area do not include a parking strategy or any specific direction relative to parking. Policy 1.5.3 p) concerning the By Ward Market Character Area is the most comprehensive statement of this type. It would appear that more policy support is needed with respect to the other Character Areas to carry the general direction of the Primary Plan to discourage temporary surface parking into the Secondary Policy Plan for the Central Area. Therefore, a policy concerning temporary surface parking similar to 5.9.2.2 f) should be added to each of the Character Areas.

The policy to discourage temporary surface parking in the Central Area of Ottawa is consistent with the Official Plan of the Regional Municipality of Ottawa-Carleton (RMOC). Policy 3.4.2 (9) of the Regional Official Plan (ROP) states that in the Central Area the intent is to provide a transportation system which encourages the use of walking, cycling, and public transit (especially for commuting) as the principal means of improving access to and mobility within the Central Area.

A recommendation is also being made to amend the zoning by-law to clarify the terminology used to denote a surface parking lot. Due to the use of a condition which requires public parking in the Central Area to be located in a building or structure, a number of properties have been granted temporary zoning for surface public parking as a variance to the zoning through the Committee of Adjustment. While staff have expressed concern and objection to this practice in the past, the Committee generally has ruled that such a matter is within their purview. However, given the specific OP policy concerning temporary surface parking, staff view this as a substantive land use issue which should be dealt with by City Council. Therefore, the term “parking garage” is being suggested as a precisely defined land use which would be permitted under the zoning by-law and is less likely to be subject to review by the Committee of Adjustment. This new definition will replace any reference to the condition which requires public parking to be located in a building or structure. As this is a new defined land use in the Zoning By-law it will apply on citywide basis, however, it will only be included as a listed permitted use in those zoning districts which previously required public parking to be located in a building or structure and these are predominantly located in the Central Area.

## Economic Impact Statement

The recommendations presented in this report will have no appreciable economic impact on the City.

## Consultation

As outlined in the Terms of Reference for the study of temporary surface parking in the Central Area and inner city neighbourhoods, a discussion paper was circulated to all of the stakeholders in this issue in May, 1998 to provide information and an opportunity to comment. Responses were received from community associations, business improvement associations, and parking lot operators who have an interest. The comments made by these various groups are addressed in Consultation Details section of this report.

## Disposition

Department of Corporate Services, Statutory Services Branch, to notify the Clerk of the Regional Municipality of Ottawa-Carleton (RMOC) of City Council’s decision set out in Recommendation 1, and notify the Development Approvals Division, Planning and Development Approvals Department (RMOC), of the outcome of Recommendation 2.

Office of the City Solicitor to forward required OPA by-law to City Council.

Department of Urban Planning and Public Works, Planning Branch to:

1. prepare and circulate notice of the Official Plan adoption to those persons and public bodies who requested notification; and
2. submit the Official Plan amendment and the required documentation to the Regional Municipality of Ottawa-Carleton for approval.

### **List of Supporting Documentation**

Document 1a	Explanatory Note to Zoning By-law Z-2K
Document 1b	Explanatory Note to Zoning By-law, 1998
Document 2	Zoning Details
Document 3	Draft Official Plan Amendment
Document 4	Discussion Paper: Temporary Surface Parking in the Central Area and Inner City Residential Districts
Document 5	Consultation Details

## Part II - Supporting Documentation

### Explanatory Note to Zoning By-law Z-2K

Document 1a

#### EXPLANATORY NOTE TO THE PROPOSED BY-LAW NUMBER \_\_\_\_\_

By-law Number \_\_\_\_\_ amends By-law Z-2K the City's Comprehensive Zoning By-law. The amendment affects any and all zones under this by-law wherein public parking is required to be located in a building or structure.

#### CURRENT ZONING

In certain zones set out in the By-law, public parking is listed as a permitted use, conditional upon whether it is located in a building or structure. This is generally the case for the C2 and BWM zones within the Central Area along with a number of other exception zones.

#### PROPOSED ZONING

A "Parking Garage" is to be added as a permitted use in the By-law and is to be defined to mean "public parking" which is located in a building or structure. The term "parking garage" will replace any reference to public parking which is required to be located in a building or structure and a "parking garage" is added as a permitted use in every zone where a "public parking area" is a permitted use.

This constitutes the proposed amendment to Zoning By-law Z-2K. For further information on this amendment contact Charles Lanktree at 244-5300 ext. 3859.

## EXPLANATORY NOTE TO THE PROPOSED BY-LAW NUMBER

By-law Number \_\_\_\_\_ amends Zoning By-law, 1998 the City's Comprehensive Zoning By-law. The amendment affects any and all zones under this by-law wherein a parking lot is required to be located in a building or structure.

## CURRENT ZONING

In certain zones set out in the By-law, a parking lot is listed as a permitted use, conditional upon whether it is located in a building or structure. This is generally the case for the CB and CM zones within the Central Area along with a number of other exception zones.

## PROPOSED ZONING

A "Parking Garage" is to be added as a permitted use in the By-law and is to be defined to mean a building used for the temporary parking of four or more passenger vehicles. The term "parking garage" will replace any reference to a parking lot which is required to be located in a building or structure and a "parking garage" will be added as a permitted use in every zone where a "parking lot" is a permitted use.

This constitutes the proposed amendment to Zoning By-law, 1998. For further information on this amendment contact Charles Lanktree at 244-5300 ext. 3859.

**Zoning Details:**

Document 2

## ZONING BY-LAW, 1998

1. Add a definition of “parking garage” as follows: parking garage means a building used for the temporary parking of four or more passenger vehicles.
2. Where “parking lot” is a listed permitted use and is required to be in a building, replace “parking lot” as a permitted use with “parking garage” and eliminate the requirement for the “parking lot” to be in a building.
3. Add “parking garage” as a permitted use in every zone where “parking lot” is a permitted use.

## ZONING BY-LAW Z-2K

1. Add a definition of “parking garage” as follows: parking garage means a building used for the parking of more than four (4) motor vehicles and available for public or restricted use.
2. Where “public parking area” is a listed permitted use and is required to be in a building, replace “public parking area” with “parking garage” and eliminate the requirement for the “public parking area” to be in a building.
3. Add “parking garage” as a permitted use in every zone where “public parking area” is a permitted use.



Official Plan Amendment ■ Modification du Plan directeur

# Land Use Utilisation du sol



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**THE STATEMENT OF COMPONENTS**

Part A - THE PREAMBLE, introduces the actual Amendment but does not constitute part of Amendment No. \_\_\_\_ to the City of Ottawa Official Plan.

Part B - THE AMENDMENT, consisting of the following text constitutes Amendment No. \_\_\_\_ to the City of Ottawa Official Plan.

Part C - THE APPENDIX, does not form part of Amendment No. \_\_\_\_ but is provided to clarify the intent and to supply background information related to the Amendment.

## PART A - THE PREAMBLE

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### 1.0 Purpose

The purpose of Amendment No. \_\_\_\_\_ is to propose the means to clarify City Council's position with respect to temporary surface parking in the Central Area and inner city neighbourhoods.

### 2.0 Location

The affected area is comprised of the entirety of Wards 5 and 6 (Bruyère-Strathcona and Somerset Wards) which include the Central Area and inner city neighbourhoods as shown on the attached Location Map (Part C - The Appendix).

### 3.0 Basis

In November of 1996 staff initiated a study of temporary surface parking in the Central Area and inner city neighbourhoods as directed by City Council. The objectives of this study as set out in the terms of reference were as follows:

- to review the parking supply information needed to support the City policy on temporary parking;
- to assess the effectiveness of the policy to implement the direction of the Official Plan concerning temporary parking; and
- to determine the means which should be utilized to clarify Council's position on this issue.

In fulfilment of the first two study objectives staff circulated a discussion paper in May, 1998 to the various stakeholders in this issue. The discussion paper documented the Official Plan policy review and analysis with respect to this issue, provided a zoning history relative the affected sites, and a survey of parking supply in the study with an explanation of its relationship to temporary surface parking.

The following rationale explains the means that are to be utilized to clarify Council's position on this issue. These are proposed as a number of amendments to the City of Ottawa Official Plan.

As currently worded, Policy 5.9.2.2 f) of the Official Plan states that, “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. City Council shall, in determining the use of this policy, take into account specific parking strategies in the Central Area Secondary Policy Plan. Where temporary surface parking is permitted, City Council shall ensure that the visual appearance of such parking facilities shall be enhanced and screened through the use of substantial vegetation, while ensuring adequate public safety and security; and shall require that an appropriate amount of usable open space be provided in accordance with Policies 5.6.2 u), 5.8.2 e) and 5.9.2.2 g).” As a means to further strengthen Policy 5.9.2.2 f) this Amendment adds a cross-reference to the temporary use provisions as set out in Policy 13.17.1. The amended text states that, “notwithstanding the ability for City Council to pass temporary use by-laws, temporary surface parking shall be discouraged.” The intent to restrict this use to the exceptional case will thereby be made clear.

There is some concern with the wording of Policy 13.17.1(a) of the Official Plan, most notably as expressed by the Ontario Municipal Board in decisions issued by the Board with respect to matters before it having to do with temporary surface parking in Ottawa. This policy states that temporary use by-laws need not conform to the Official Plan. However, the Planning Act in Section 24(1) states that by-laws must conform to the municipality's Official Plan, and this includes temporary use by-laws. Further, Section 39(1) of the Planning Act allows for the passing of a temporary use by-law for a use that is otherwise prohibited by the comprehensive by-law, but does not extend that privilege to allowing a use that is not in conformity with the Official Plan. Therefore, it is considered necessary to amend Section 13.17.1(a) of the Official Plan to bring it into conformity with Sections 24(1) and 39(1) of the Planning Act. This would result in more emphasis being placed on the direction of the Official Plan with respect to the adoption of a temporary use by-law. Therefore policies such as 5.9.2.2 f), which discourages temporary surface parking in the Central Area, would have more weight in the consideration of a temporary zoning application.

It should be noted that some of the Character Areas in the Secondary Policy Plan for the Central Area do not include a parking strategy or any specific direction relative to parking. Policy 1.5.3 p) concerning the By Ward Market Character Area is the most comprehensive statement of this type. It would appear that more policy support is needed with respect to the other Character Areas to carry the general direction of the Primary Plan to discourage temporary surface parking into the Secondary Policy Plan for the Central Area. Therefore, a policy concerning temporary surface parking similar to 5.9.2.2 f) has been added to each of the Character Areas.

The Local Architectural Conservation Advisory Committee (LACAC) has expressed concern with the potential negative impacts of this use within residential neighbourhoods outside the Central Area. In response, City Council approved a motion of the Planning and Economic Development Committee (PEDC)... "that City Council establish temporary surface parking policies to discourage temporary rezonings for surface parking areas on residential land." Therefore, to implement this direction of City Council, a policy statement similar to 5.9.2.2 f) of the Principle Plan for the Central Area has been included in each of the Secondary Policy Plans and/or Key Principles of Neighbourhood Plans within the affected area (see Part C - Appendix 1). The one exception to the use of the term "discourage" in a policy statement concerning temporary surface parking is in the case of Policy 3.4.7 d) in the Centretown Secondary Policy Plan where the phrase "shall not permit" is used to be consistent with the general prohibition of public parking expressed in the policy.

## PART B - THE AMENDMENT

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### 1.0 The Introductory Statement

All of this part of the document entitled Part B - The Amendment, consisting of the following text constitutes Amendment No. \_\_\_\_ to the City of Ottawa Official Plan.

### 2.0 Details of the Amendment

The City of Ottawa Official Plan is hereby amended as follows:

- 2.1 Chapter 5.0 - Central Area contained in Volume I of the City of Ottawa Official Plan, is amended as follows:

- 2.1.1 Policy 5.9.2.2 f) of the Parking and Loading provisions is deleted in its entirety and replaced with a new Policy 5.9.2.2 f) to read as follows:

*Temporary Surface Parking*

“Notwithstanding that City Council can pass Temporary Use By-laws, 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. City Council shall, in determining the use of this policy, take into account specific parking strategies in the Central Area Secondary Policy Plan. Where temporary surface parking is permitted, City Council shall ensure that the visual appearance of such parking facilities shall be enhanced and screened through the use of fences, walls and/or vegetation, while ensuring adequate public safety and security; and shall require that an appropriate amount of useable open space be provided in accordance with Policies 5.6.2 u) and 5.8.2 e) of this chapter and Policy g) below.”

2.2 Chapter 13.0 - Implementation and Monitoring contained in Volume I of the City of Ottawa Official Plan, is hereby amended as follows:

2.2.1 Policy 13.17.1 a) of the Temporary Use provisions is deleted in its entirety and replaced with a new Policy 13.17.1 a) to read as follows:

*Temporary Use Provisions*

“City Council recognizes that it may be desirable to permit uses for specific temporary periods up to a maximum of three years, which would otherwise not conform to the comprehensive Zoning By-law. Such uses may be permitted upon individual application and careful consideration by City Council, of the need and appropriateness of a Temporary Use By-law and to ensure that the objectives and policy direction of the Official Plan are not adversely affected by the temporary use.”

2.2.2 Policy 13.17.1 b) of the Temporary Use provisions is deleted in its entirety and replaced with a new policy 13.17.1 b) to read as follows:

*Extension*

“City Council may extend a Temporary Use By-law as set out in the Planning Act upon individual application and careful consideration by City Council, of the need and appropriateness of a Temporary Use By-law and shall ensure that the objectives and policy direction of the Official Plan are not adversely affected by the temporary use and that it does not jeopardize the long-term development intentions for the subject lands/area as specified in the Official Plan.”

2.3 Chapter 1.0 - Central Area Secondary Policy Plan contained in Volume II of the City of Ottawa Official Plan, is amended as follows:

2.3.1 Policy 1.3.3 i) iii) of the Core Area Character Area is deleted in its entirety and replaced with a new Policy 1.3.3 i) iii) to read as follows:

*Temporary Surface Parking*

“iii) discourage the provision of temporary surface parking spaces within the Core, and where temporary surface parking is permitted, shall require that site enhancements be provided in accordance with Policy 5.9.2.2 f) of the Primary Plan for the Central Area.



2.3.2 Policy 1.5.3 p) of the By Ward Market Character Area is amended by:

- i) deleting the word ‘and’ at the end of subparagraph iv).
- ii) deleting the period at the end of subparagraph v) and replacing it with a semi-colon, followed immediately by the word ‘and’.
- iii) adding the following new policy immediately following Policy 1.5.3 p) v):
  - “vi) discouraging the provision of temporary surface parking spaces within the By Ward Market Character Area, and where temporary surface parking is permitted, requiring site enhancements in accordance with Policy 5.9.2.2 f) of the Primary Plan for the Central Area,”

2.3.3 Policy 1.6.3 h) of the Rideau/Congress Centre Character Area is amended by:

- i) deleting the word ‘and’ at the end of subclause i).
- ii) deleting the period at the end of subclause ii) and replacing it with a semi-colon, followed immediately by the word ‘and’.
- iii) adding the following new policy immediately after Policy 1.6.3 h) ii):
  - “iii) discouraging the provision of temporary surface parking spaces within the Rideau/Congress Centre Character Area, and where temporary surface parking is permitted, requiring site enhancements in accordance with Policy 5.9.2.2 f) of the Primary Plan for the Central Area.”

2.3.4 Policy 1.7.3 of the Canal Character Area is amended by adding the following new policy immediately after Policy 1.7.3.i):

*Temporary Surface Parking*

- “j) City Council shall discourage the provision of temporary surface parking spaces within the Canal Character Area, and where temporary surface parking is permitted, shall require site enhancements in accordance with Policy 5.9.2.2 f) of the Primary Plan for the Central Area.”

- 2.3.5 Policy 1.8.3 h) of the Lowertown Character Area is amended by adding the following as the final sentence of the policy:

“However, City Council shall discourage the provision of temporary surface parking spaces within the Lowertown Character Area, and where temporary surface parking is permitted, shall require site enhancements in accordance with Policy 5.9.2.2 f) of the Primary Plan for the Central Area.”

- 2.3.6 Policy 1.9.3 of the Sandy Hill West Character Area is amended by adding the following new policy immediately after Policy 1.9.3 k):

*Temporary Surface Parking*

“l) City Council shall discourage the provision of temporary surface parking spaces within the Sandy Hill West Character Area to ensure a pedestrian-oriented residential environment, and where temporary surface parking is permitted, shall require site enhancements in accordance with Policy 5.9.2.2 f) of the Primary Plan for the Central Area.”

- 2.3.7 Policy 1.10.3 of the Upper Town Character Area is amended by adding the following new policy immediately following Policy 1.10.3 g):

*Temporary Surface Parking*

“h) City Council shall discourage the provision of temporary surface parking spaces within the Upper Town Character Area to ensure a pedestrian-oriented residential environment, and where temporary surface parking is permitted, shall require site enhancements in accordance with Policy 5.9.2.2 f) of the Primary Plan for the Central Area.”

- 2.3.8 Policy 1.12.3 j) of the Rideau Theme Street is amended by adding the following as the final sentence of the policy:

“However, City Council shall discourage the provision of temporary surface parking spaces within the Rideau Theme Street area, and where temporary surface parking is permitted, shall require site enhancements in accordance with Policy 5.9.2.2 f) of the Primary Plan for the Central Area.”

- 2.3.9 Policy 1.13.3 m) of the Sparks Theme Street is amended by adding the following as the final sentence of the policy:

“However, City Council shall discourage the provision of temporary surface parking spaces within the Sparks Theme Street area, and where temporary surface parking is permitted, shall require site enhancements in accordance with Policy 5.9.2.2 f) of the Primary Plan for the Central Area.”

- 2.3.10 Policy 1.14.3 l) of the Bank Theme Street is amended by adding the following as the final sentence of the policy:

“However, City Council shall discourage the provision of temporary surface parking spaces within the Bank Theme Street, and where temporary surface parking is permitted, shall require enhancements in accordance with Policy 5.9.2.2 f) of the Primary Plan for the Central Area.”

- 2.4 Chapter 3.0 - Centretown Secondary Policy Plan contained in Volume II of the City of Ottawa Official Plan, is amended as follows:

- 2.4.1 Policy 3.4.7 d) of the Transportation Policies is amended by adding the following as the final sentence of the policy:

“Notwithstanding that City Council can pass Temporary Use By-laws, City Council shall not permit temporary surface parking spaces on vacant sites within Centretown in order to support the reduction of carbon emissions and to ensure a pedestrian-oriented residential environment.”

- 2.5 Chapter 5.0 - Sandy Hill Secondary Policy Plan contained in Volume II of the City of Ottawa Official Plan, is hereby amended as follows:

- 2.5.1 Policy 5.3.3 of the Transportation Policies is amended by adding the following new policy immediately after Policy 5.3.3 d):

“e) Notwithstanding that City Council can pass Temporary Use By-laws, City Council shall discourage temporary surface parking spaces on vacant sites within Sandy Hill in order to support the reduction of carbon emissions and to ensure a pedestrian-oriented residential environment.”

2.6 Chapter 8.0 - Lowertown West (Key Principles) contained in Volume II of the City of Ottawa Official Plan, is hereby amended by adding the following new policy immediately following Policy 8.3.6:

2.6.1 Policy 8.3.7 - Parking Policies is added as follows:

“Notwithstanding that City Council can pass Temporary Use By-laws, City Council shall discourage temporary surface parking spaces on vacant sites within Lowertown West in order to support the reduction of carbon emissions and to ensure a pedestrian-oriented residential environment.”

### 3.0 Implementation and Interpretation

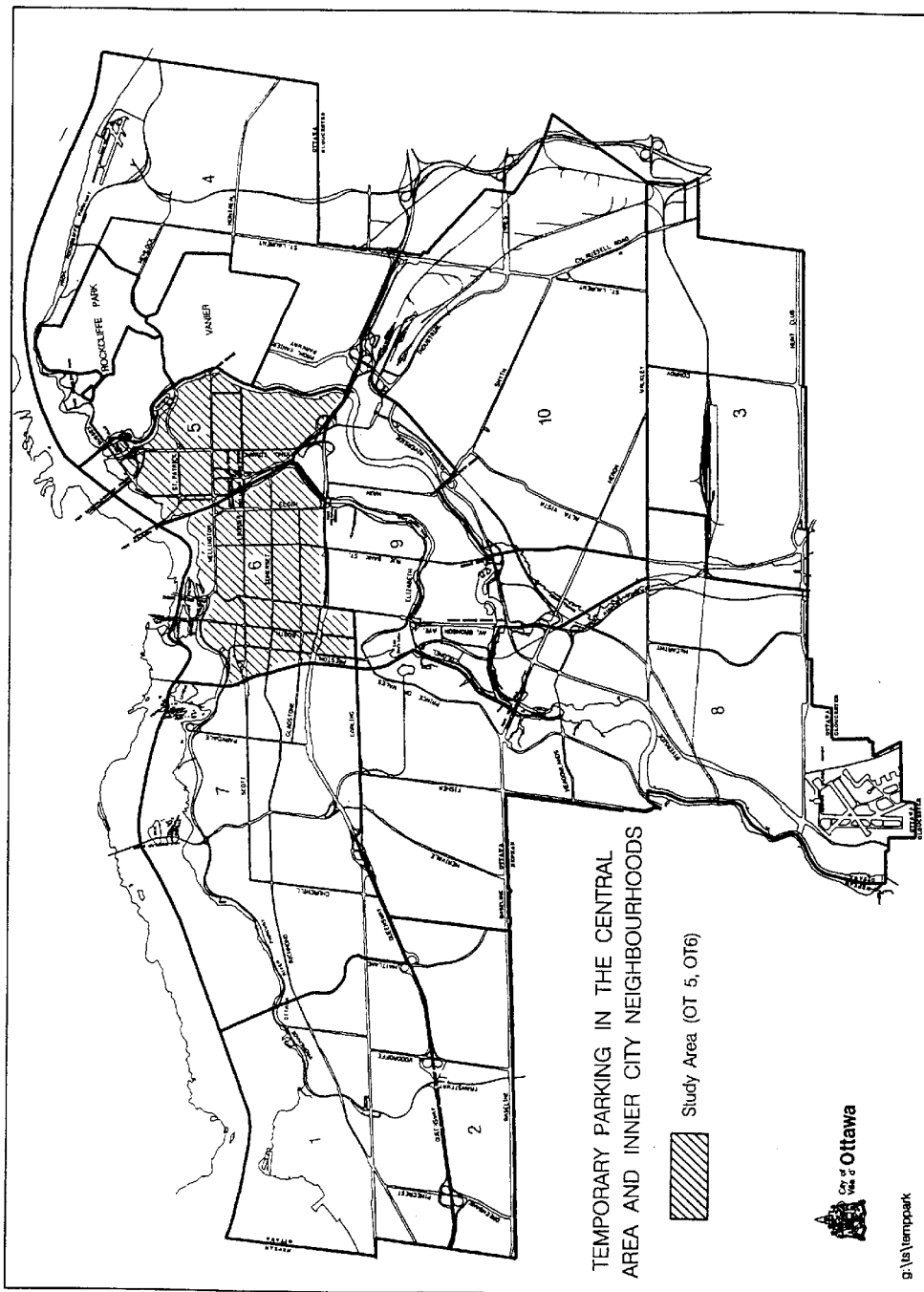
Implementation and interpretation of this amendment shall be made having regard to all Chapters of the City of Ottawa Official Plan.

**PART C - THE APPENDIX**

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The map entitled “Temporary Parking in the Central Area and Inner City Neighbourhoods” attached hereto, constitutes PART “C” - THE APPENDIX and illustrates the area affected by the changes contained in this Amendment.

PART 'C' - Appendix 1.0 - Map 1 - Amendment No.



DISCUSSION PAPER  
TEMPORARY SURFACE PARKING IN THE CENTRAL AREA  
AND INNER CITY RESIDENTIAL DISTRICTS

May, 1998

City of Ottawa  
Department of Urban Planning and Public Works  
Planning Branch

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## 1.0 Introduction

Surface public parking is not a permitted use across most the Central Area as the predominant zoning districts in this area require public parking to be located in a building. This is a specific zoning provision which follows from Official Plan (OP) policy to restrict this use. Due to this specific policy and regulatory direction from City Council surface public parking has been effectively restricted as a permitted use in the Central Area. However, in recent years there have been a substantial number of requests for temporary zoning to permit surface parking lots in the Central Area and inner city neighbourhoods. Due to fires and other demolition activity more vacant sites are appearing and are becoming available for surface public parking. Construction activity has slowed since the beginning of the decade, with properties remaining vacant for extended periods. This has, in turn, caused an increase in the number of requests for extensions of any existing zoning permission for temporary surface parking. As a result City Council and staff are experiencing increased demands to review these requests for temporary zoning to permit surface parking. Recent experience with the policy framework concerning temporary surface parking in the Central Area has shown the need for City Council to assess its position on this issue. The Local Architectural Conservation Advisory Committee (LACAC) has also recently expressed concern that this trend could significantly impact on the integrity of residential districts adjacent to the Central Area as existing building stock is removed and sites are cleared for surface parking.

Recent Ontario Municipal Board (OMB, "the Board") rulings with respect to properties in and adjacent to the Central Area indicate that there remains potential for confusion between the general policy direction to provide parking within the Central Area and the specific policy which discourages temporary surface parking. While there is a need for greater analysis of relevant factors, such as parking supply, and the appropriateness of this temporary use in its physical context, it is most important to distinguish temporary surface parking in the context of the larger parking issue.

Temporary surface parking is considered by the Official Plan to be a detrimental land use within the Central Area as it encourages the use of private cars with their polluting emissions and negative impacts on the pedestrian environment. In order to address this issue a specific policy 5.9.2.2 f) was adopted in the Central Area Chapter of the Official Plan which, in association with other transportation strategies, is intended to discourage this use. The intent of this study is to review the parking supply information needed to support the City policy on temporary surface parking, to assess the effectiveness of the policy to implement the direction of the Official Plan concerning temporary surface parking, and to determine the means which should be utilized to clarify Council's position on this issue.

This "discussion paper" presents an outline of the key issues which are being addressed in this study of temporary surface parking in the Central Area and within inner city residential districts (Bruyère-Strathcona Ward, Somerset Ward). It is being distributed to the various stakeholder groups that have an interest in temporary surface parking to solicit their comments with respect to related issues. An attempt will be made to resolve any outstanding issues following from this process. A report will then be presented to the Planning and Economic Development Committee at a public meeting with recommendations intended to meet the objectives of the terms of reference for this study.

## 2.0 Official Plan - Policy Review and Analysis

The following survey of Official Plan policy outlines the current City Council direction concerning this issue. It also identifies the relationship with other relevant policies in the Plan and provides a discussion of the key issues raised by recent experience with this policy framework.

- Temporary Use (Section 13.17)

The temporary use provisions in section 13.17.1 a) and b) state that the OP represents the long-term direction to the development of the city and as such it may be desirable to permit uses for short periods (three years.) which otherwise would not conform to the OP or the zoning by-law. Criteria which should be applied to the consideration of the initial application include a substantiation of the need for the temporary use, some indication of its appropriateness, and assurance that the use will not adversely affect the objectives and policy direction of the OP. The extension of a temporary use beyond the initial approval period is considered relative to its potential to jeopardize the long-term development intentions for the subject lands as specified in the OP. There is some concern with the criteria which are to be applied to the initial request for a temporary use relative to any subsequent extensions. It would seem reasonable that the same criteria should be applied to both situations. That is, both the initial request, as well as the subsequent extension of a temporary use should be subject to the same careful consideration by City Council.

Consideration of the need for a temporary use is a key criteria set out in this policy. Information concerning the parking demand or need in the Central Area has been available through the 1985 Delcan Study of parking utilization. At that time an adequate total supply of off-street parking was identified. An update of this study was undertaken in 1995 which indicates that there remains, in general, adequate off-street parking to meet the parking demand. Also, due to employment reductions in the federal public service, which

is largely located in the Central Area, the demand for parking has not risen appreciably. However, in assessing the need for this use as directed by the Temporary Use Provisions of the OP it is important to recognize that temporary surface parking is distinguished from other temporary uses in the Central Area Chapter of the OP. As policy 5.9.2.2 f) states that this use is to be discouraged, temporary parking is not similar to other means of providing for any real or perceived need for parking.

In considering past applications for temporary surface parking the appropriateness of the use has been assessed relative to the physical context of each site, with relevant policies being brought to bear concerning land use relationships. The application of this criteria has not been contested at the Board. Its weight in the review of an application is relative to the myriad of site specific issues. However, generally temporary surface parking is considered to create adverse impacts on the pedestrian environment including an increase in automobile traffic generated with the associated carbon emissions, noise and light.

The extent of adverse effects created by a temporary use on the objectives and policy direction of the OP is dependant on the strength of the relevant policies. A large number of related policies can be identified which speak to the desire to reduce carbon emissions and ensure a vibrant pedestrian environment. As the availability of parking is intended to attract automobile users it is apparent that allowing temporary surface parking has the potential to adversely affect these objectives and policies of the OP.

The Board has also raised some concern with the wording of Section 13.17.1(a) of the Official Plan which states that temporary use by-laws need not conform to the Official Plan. The Planning Act in Section 24(1) states that by-laws must conform to the municipality's Official Plan, including temporary use by-laws. Further, Section 39(1) of the Planning Act concerning temporary uses allows for the passing of a temporary use by-law for a use that is otherwise prohibited by the comprehensive by-law but does not extend that privilege to allowing a use that is not in conformity with the Official Plan.

However, a guideline document published by the Ministry of Municipal Affairs and Housing (Guideline 8, October 1983) advises that a statement authorizing the passing of temporary use by-laws which do not conform to the Official Plan may be included if a municipality intends to permit such uses. As stated above, Section 13.17.1(a) of the Official Plan includes such a statement, however, the fundamental legality of such a statement has been called into question. Ultimately a legal question of this type can only be answered by the courts. However, given that the question has been raised it may be advisable to review the wording of the temporary use provisions in Section 13.17.1(a) in order to avert legal action.

As the temporary use provisions are now worded, they also could be interpreted to have a diminishing effect on policy 5.9.2.2 f) of the Central Area Chapter which is specific to temporary surface parking. The temporary use provisions state that City Council may permit uses which would otherwise not conform to the Official Plan or Zoning By-law for temporary periods. However, in principle the more specific policy to discourage temporary surface parking should take precedence over the more general temporary use provisions. Given the potential conflict between these provisions of the Official Plan they should be cross referenced to clarify their relative priority when applied to temporary surface parking.

- Temporary Surface Parking (Section 5.9.2.2 f.)  
This policy was intended to specifically address temporary surface parking in stating that..."City Council shall discourage the provision of temporary surface parking on vacant sites within the Central Area in order to support the reduction of carbon emissions and to ensure a vibrant pedestrian environment...". References to the reduction of carbon emissions and concern with negative impacts to the pedestrian environment relate this policy to several others in the Official Plan which call for reduced parking and general automobile use, along with the promotion of alternative modes of transportation. Statements concerning these issues can be found in the "Guiding Principles" (2.3.7) and "Vision for Ottawa" (2.4 Improve Environmental Quality - Central Area, Increase Opportunities for Non-auto Transportation, Emphasis on Pedestrians) which form part of the "Municipal Development Strategy". More detailed references can be found in following sections of the Official Plan:
- Central Area Chapter of the Primary Plan [Strategic Approach 5.3.11, Urban Design 5.6.2 u), Leisure Resources 5.8.2 b), iii), iv), Parking and Loading 5.9.2.1 a), 5.9.2.2 a), c), e), g)];
- The Transportation Chapter [Strategic Approach 7.1.1, 7.1.2, 7.1.3, 7.1.4, 7.1.6, 7.1.7, Energy Conservation/Air Quality 7.7.1 a), 7.7.2 a), i), Parking 7.8.1 b), 7.8.2 b)]; The Environmental Management Chapter [Energy Conservation-Objective to Reduce Consumption of Fossil Fuels 6.11.1 c), Increase Non-auto Transportation 6.11.2 b), Reduce Carbon Dioxide Emissions 6.12.1 c), Decrease Carbon Dioxide Emissions 6.12.2 a)];
- the Secondary Policy Plan for the Central Area [Character Areas - The Core - Vision 1.3.1 Reduced Carbon Emissions 1.3.3 i), iii), By Ward Market - Vision 1.5.1 Parking, 1.5.3 p), ii), Lowertown - Parking 1.8.3 h), Sandy Hill West - Short-term Parking 1.9.3 k), Theme Streets - Rideau Street - Parking 1.12.3 j), Sparks Street - Short-term Parking 1.13.3 m), Bank Street - Parking 1.14.3 l)];
- and Secondary Policy Plans [Centretown - Objectives 3.3.2 k), Transportation Policies 3.4.7 a), d), Sandy Hill - Transportation Policies 5.3.3 b)].

However, in a recent decision the OMB stated that policy 5.9.2.2 f) does not provide a complete answer. It appears that the Board was looking for more substantiation to justify the discontinuance of a temporary use. As part of the Primary Plan for the Central Area this policy directs that the individual parking strategies for each of the Character Areas in the Secondary Policy Plan are to be taken into account. It also refers to policies addressing the appearance of surface parking lots, when and if permitted.

It should be noted that some of the Character Areas do not include a parking strategy or any specific direction relative to parking. Policy 1.5.3 p) concerning the By Ward Market Character Area is the most comprehensive statement of this type. It would appear that more policy support is needed with respect to the other Character Areas to carry the general direction of the Primary Plan to discourage this use into the Secondary Plan for the Central Area. This could be achieved by drafting a policy concerning temporary surface parking similar to 5.9.2.2 f) for each of the Character Areas.

A number of policies in the Central Area Chapter address the appearance of surface parking and temporary surface parking in particular. Policy 5.9.2.2 f) cross-references Policies 5.6.2 u) and 5.8.2 e) along with 5.9.2.2 g) as giving direction with respect to provision of the appropriate amount of usable open space. Policy 5.8.2 b) also speaks directly to the landscape treatment of temporary surface parking as well as requesting that vacant lands be landscaped and maintained as usable open spaces for the interim period between the demolition of existing structures and the construction of any new structures, if construction is not imminent.

It should be noted that an argument has been made to justify a time extension of temporary parking due to the financial investment necessary to meet the intent of these standards for site treatment through the Site Plan Control procedure. This interpretation causes some concern as the intent of the policy is to maintain development standards for a use which is not desirable rather than provide justification to extend the duration of the use.

Policy 5.9.2.2 f) could be further strengthened if it was cross-referenced to the temporary use provisions of the OP. The intent to restrict this use to the exceptional case would thereby be made clear. Such exceptional cases could be defined by criteria related to the need and appropriateness of this use.

- Parking Strategy (Central Area Chapter - 5.0, Section 5.9.2.1 a.)

As exhibited by recent experience in the application of this policy objective there exists some possibility to misconstrue its meaning if it is taken out of context with the associated policies which follow and explain its intent. It is important to recognize that policy 5.9.2.2 f), which follows directly from this objective, distinguishes temporary surface parking

from the overall parking supply as a form of parking which is discouraged. The Board interprets the term "optimum supply" of parking as indicating that there is no maximum supply of parking while recognizing that the OP promotes a ..."balanced parking strategy that encourages the increased use of public transit, cycling and walking as the principal means of access to the Central Area while recognizing parking as a necessary component of the transportation system."

The objective of balance can only be achieved if some limited supply of parking which serves the captive automobile users is compared with a measure of use of alternative modes of transportation. This is clear in policy 5.9.2.2 c) which states that ..."City Council shall ensure that the amount and location of auto parking required to support the functions of the Central Area encourages increased use of public transit and is consistent with efforts to reduce carbon emissions and improve energy efficiency and non-auto modes of transportation."

- **Parking - By Ward Market (Section 1.5.3 p)**  
There is also some concern with the wording of policy 1.5.3 p) which states that,..." the provision of sufficient and appropriate cycle and vehicular parking is critical to maintaining the vitality, ambience and continuous pedestrian-oriented character of the By Ward Market". The language used in this sentence could be misconstrued as unqualified support for parking, including temporary surface parking. However, it should be viewed in the context of the Vision Statement for the By Ward Market 1.5.1 and as echoed in policy 1.5.3. p) ii) "...that additional cycle and vehicular parking be strategically integrated within mixed use development, mainly on the edges of the Market". The wording of policy 1.5.3. p) could be amended to clarify Council's direction on this issue.
- **Transportation (Section 7.0)**  
A number of policies in the Transportation chapter of the OP address the issue of automobile use with the associated carbon emissions and negative impacts on the pedestrian environment. The Strategic Approach 7.1 states that the City shall improve the natural environment by adopting a transportation strategy which uses a combination of land use and transportation policies to reduce the use of fossil and other carbon dioxide emitting fuel. Further to this approach it suggests that we reduce automobile use in the city thereby improving the quality of life and the environment by ensuring safe, efficient, pleasant and convenient movement by other modes of transportation.

Following from these general statements Policy 7.7.2 outlines various means to reduce energy consumption and improve the quality of the natural environment by introducing measures to reduce the amount of carbon emissions from automobiles including: i) reducing the need for long-term non-residential parking spaces in intensive employment areas (eg. the Central Area and Employment Centres)... More specifically, objective 7.8.1

b) indicates that the cost of parking in municipal parking facilities and parking standards should be used to reduce automobile use. Policy 7.8.2 a) states further that Council shall establish parking standards that contribute to the overall strategy to reduce the use of automobiles in the city and b) establish parking rates in City-owned facilities which discourage long-term parking.

Policy 7.8.2 f) provides development guidelines for parking facilities throughout the city. These guidelines, as well as those found in Section 12.8 Street Environment of the Urban Design Chapter, should be used to direct the treatment of surface parking lots in the limited instances where they may be permitted.

The preceding references would indicate that some remedial work is necessary to clarify the intent of the direction provided by the OP concerning temporary surface parking.

### 3.0 Parking Supply and the Need for Temporary Surface Parking

Overall the parking supply in the Central Area has increased by nearly 40% since 1984. While the number of on-street parking spaces in the Central Area has remained the same there has been an increase of approximately 45% in off-street parking spaces since 1984. Of this number the greatest growth has been in structure parking which has grown by a total of 93% due primarily to construction west of the Canal. Surface parking also increased east of the Canal by 21% which has also been the prime area for temporary surface parking lots. This growth in the supply of parking in the Central Area has taken place when there has been no growth in employment within this area, due primarily to federal government downsizing. This trend is demonstrated by a reduction in jobs relative to the number of off-street parking spaces from 3.2 to 3.1 between 1989 and 1994. Also within this timeframe the number of personal vehicle trips into the Central Area during the work day rose by only 0.8%. As stated in a "Background Paper on the Central Area", presented as part of the Regional Plan Review, there is now a lot more parking available for people who are choosing to drive downtown.

The chief indicator of need or demand for parking as presented in the 1995 Central Area Parking Study Update is the rate of utilization of the current parking supply. Generally, as the utilization rate increases so does the demand for parking. This study demonstrates that except in a few isolated blocks west of the Canal along Metcalfe Street and east of the Canal along Cumberland Avenue and Parent Street where parking utilization is near or at capacity, there is adequate off-street parking to meet demands on both weekdays and weekend evenings. Also, the total demand for parking across the Central Area is being met, again with the exception of a few isolated locations. However, as these deficient areas are within walking distance of areas with greater parking capacity they are not considered to constitute a need for more parking.



Therefore, generally the parking utilization data available for the Central Area indicates that there is no demonstrated need for additional parking which may be provided by temporary surface parking lots. However, given that this use is discouraged due to its negative impact in the Central Area; that it has a temporary duration of three years; and that the proportion of temporary surface parking to the overall parking supply is small (2.2%), it should not be considered as contributing to the overall parking supply.

#### 4.0 Temporary Surface Parking in Inner City Neighbourhoods

A number of residential neighbourhoods are close to the Central Area and are impacted directly by the predominantly commercial activity located there. The Official Plan recognizes the important relationship between these districts. The Central Area Vision states that, "the residential character of neighbourhoods surrounding and adjacent to the Central Area will be maintained and protected. Centretown's residential contribution to the Central Area's vitality will be optimized, while its livability is enhanced through improvements to its open space and pedestrian environment."

Generally the Secondary Policy Plans that apply to the neighbourhoods within and surrounding the Central Area support alternative modes of transportation over the use of the automobile. For example, the transportation policies of the Sandy Hill neighbourhood plan emphasize public transportation, bicycle and pedestrian networks over the private automobile. This approach is reflected in the policies which address public parking. The Centretown Plan prohibits the establishment of new public parking within the residential neighbourhood while permitting strategically located public parking in areas adjacent to Bank Street and properties now zoned for this purpose. The Lowertown and Sandy Hill West Plans identify limited areas around the edges of the neighbourhood for sensitively integrated short-term public parking facilities integrated within mixed use development to serve adjacent areas.

Presently there is no policy direction which applies to the inner city neighbourhoods with respect to temporary surface parking, however, this use is prohibited by the zoning by-law throughout the area. The previously noted policies concerning public parking give some direction but do not adequately address the nature of temporary surface parking. The Local Architectural Conservation Advisory Committee (LACAC) has expressed concern with the potential negative impacts of this use within residential neighbourhoods outside the Central Area. In response City Council approved a motion of the Planning and Economic Development Committee (PEDC)... "that City Council establish temporary surface parking policies to discourage temporary rezonings for surface parking areas on residential land." This study now provides an opportunity to implement this direction of City Council.

## 5.0 Property Tax Issues Related to Temporary Surface Parking

The issue of property tax assessment with respect to temporary surface parking lots was raised during the discussion of the Terms of Reference for this study at PEDC. Concern was raised with respect to the level of assessment that is applied to this use.

At the present time, the assessed value of a property is based on the development potential and the buildings on the site. For example, owners may request tax relief based on the vacancy or demolition of any buildings on a property. The realty taxes for a parking lot are based on applying a commercial mil rate and are somewhat higher than the realty taxes for a vacant or landscaped lot, which are based on applying the lowest residential mil rate. For a parking lot, the business tax, which was paid by the tenant prior to January of this year, is based on that commercial use, whereas there is no business tax for a vacant or landscaped lot. At the beginning of 1998 both the realty and business taxes were assessed to the property owner who would generally redeem the business tax through the tenant's rent.

Over the past year a number of surface parking lots, including temporary surface lots, were identified as not paying for a business license or taxes. As these properties became vacant, they were assessed as vacant sites and were not identified as a commercial business. That is, unless the Provincial Assessment Office had identified the establishment of the parking lot through its inspection process. The Provincial Assessment Office has since been advised that a commercial use is established on these properties so that a correct commercial levy can be applied. Also, as the business tax is now levied to the property owner it is more likely to be paid as part of the overall assessment.

## 6.0 Duration of Temporary Surface Parking Use

There are thirteen surface parking lots currently with temporary by-law provisions. It is not uncommon for such uses to exist far longer than the three year maximum provided for temporary uses under the Planning Act. This situation occurs because the Planning Act permits consideration of an indefinite number of extensions to the time limit, through subsequent temporary zoning requests. Eight of the thirteen lots have been operating for nine years. The remaining five situations were either recently approved, refused, or are in process. There has been only one instance in the history of this use when a request for a time extension has been refused by the City, although staff have recommended in several cases that the extension be limited to one or two years and not extended beyond that time period. Council has generally permitted the full three year extension.

Of the eight lots in operation, four have been granted at least two extensions. The longest total duration for a parking lot under the temporary use provisions of the by-law is eleven years. The longevity of many of these temporary lots brings into question whether they can be considered as temporary uses or more permanent fixtures. It also raises the issue of whether the long-term objectives of the Official Plan for the Central Area are being undermined by the continuation of such uses.

There are primarily two reasons given by the property owners for the need for time extensions to the original temporary zoning timeframe. The first relates to the inability to develop the site within the temporary zoning timeframe and the second relates to the cost of providing the minimum standard site landscaping that is required through Site Plan Control for the establishment of public parking lots. This latter point results in the owners increased financial commitment to the surface parking use which follows from the temporary zoning.

It is fundamental to temporary uses that they end at some point in time. The issue then turns on the question of when to terminate the temporary use. The OMB has referred to the five year review cycle for Official Plans, as an appropriate overall limit for temporary parking facilities. This would also seem to be a reasonable period of time within which to take action to develop a site.

#### Zoning History of Temporary Surface Parking

Site/Zoning Number of Spaces	Request #/date	Time Requested	Time Recomm. by Staff	Time Recomm. by PEDC	Time App'd by Council/ OMB
1. 134 York RO-x-tp (5.0)[36] 30 spaces	first 16/4/96	3 yrs	2 yrs	2 yrs	2 yrs 6/11/96
2. 385 Sussex /90 Parent P-x-tp(2.5)[27] 22-70 spaces	first 7/9/90 second 16/7/96	permanent public parking	3 yrs 3 yrs	3 yrs 3 yrs	3 yrs 3/6/92 3 yrs 18/12/96

Site/Zoning Number of Spaces	Request #/date	Time Requested	Time Recomm. by Staff	Time Recomm. by PEDC	Time App'd by Council/ OMB
3. 246-254 Rideau C2-x-tp(8.0)[47] 22 spaces	first 29/12/88	2 yrs	2 yrs	2 yrs	2 yrs 1/3/89
	second 31/10/90	2.5 yrs	2.5 yrs	2.5 yrs	2.5 yrs 20/2/91
	third 19/8/93	3 yrs	3 yrs	3 yrs	3 yrs 16/2/94
	fourth 24/7/97	3 yrs	Refused	Refused	Refused 3/12/97
	fifth 25/5/99	3 yrs	Applic. in process	Applic. in process	Applic. in process
4. 100-126 Rideau C2-c-tp(8.0)[17] 95 spaces	first 3/11/92	3 yrs	3 yrs	3 yrs	3 yrs 5/3/93
	second 31/8/95	3 yrs	3 yrs	3 yrs	3 yrs 15/4/96
	third 23/2/99	3 yrs	3 yrs	3 yrs	3 yrs 30/6/99
5. 90 Murray BWM-x-tp 40 spaces	first 9/8/85	3 yrs	3 yrs	Refusal	3 yrs 1/4/87
	second 26/7/89	3 yrs	2 yrs	3 yrs	3 yrs 1/5/91
	third 1993	3 yrs	2 yrs	2 yrs	2 yrs 16/6/93
	fourth 14/3/95	3 yrs	1 yr	3 yrs	3 yrs 15/11/95
	fifth 21/10/98	3 yrs	3 yrs	3 yrs	3 yrs 3/3/99
6. 166-184 Bank C2-x-tp[46] 77 spaces	first 25/11/87	3 yrs	3 yrs	3 yrs	3 yrs 7/9/88
	second 17/6/91	3 yrs	3 yrs	3 yrs	3 yrs 4/3/92
	third 2/5/94				3 yrs 1/3/95

Site/Zoning Number of Spaces	Request #/date	Time Requested	Time Recomm. by Staff	Time Recomm. by PEDC	Time App'd by Council/ OMB
7. 186-198 St.Patrick HR-3-x-tp[1] 17 spaces	first 3/7/87 second 26/6/91 third 6/12/94 fourth 5/8/98	3 yrs 3 yrs 3 yrs 3 yrs	2 yrs 1 yr Refusal 3 yrs	2 yrs 1 yr Refusal 3 yrs	2 yrs 20/9/89 1 yr 21/6/95 @OMB- 3 yrs 3 yrs 20/1/99
8. 328 Kent R5-x(2.0)[24] 91 spaces	first 24/11/95	3 yrs	Refusal	Refusal	Refusal 17/4/96 @OMB site developed
9. 227-231 King Edward RO-x(2.0)[31]	first 3/3/93	3 yrs	3 yrs	3 yrs	3 yrs 2/12/94 @ OMB Refused
10. 19-25 Empress R11-x-tp	first 30/3/88 second 26/5/93 third 23/1/95	3 yrs 3 yrs 3 yrs	3 yrs 3 yrs 1 yr	3 yrs 1 yr 1 yr	3 yrs 7/6/90 1 yr 16/2/94 1 yr 18/10/95
11. 112 Waller St./151 Laurier Ave. RO-x-tp(7.0)[28] 170 spaces	first 19/9/89 second 17/6/96	3 yrs 3 yrs	3 yrs 3 yrs	3 yrs 3 yrs	3 yrs 15/9/93 3 yrs 4/12/96

Site/Zoning Number of Spaces	Request #/date	Time Requested	Time Recomm. by Staff	Time Recomm. by PEDC	Time App'd by Council/ OMB
12. 82-88 Metcalfe St. C2-c(8.0)[14] 39 spaces	first 6/10/97	3 yrs	3 yrs	3 yrs	3 yrs 7/7/98
13. 172-182 Sparks St.	first 17/6/96	3 yrs	3 yrs	3 yrs	3 yrs 4/11/97

### 7.0 Long-term/Short-term Parking and Temporary Surface Parking

The rationale for recommending temporary parking facilities often involves the assumption that the parking will be geared to providing short-term parking for shoppers and visitors, in support of retail and tourism businesses. Field observation has revealed that the majority of the temporary parking lots are in fact focussed on providing long-term employee parking by the day or month. While the Official Plan does support the provision of short-term parking to meet the needs of the retail business community, it discourages the provision of long-term parking.

The zoning and/or temporary use provisions of the Planning Act do not permit municipalities to regulate parking operations, therefore, zoning cannot contain conditions requiring short-term parking. The Official Plan policy for Transportation in the Central Area states that City Council shall ensure sufficient short-term parking through, among other means, maximizing opportunities for meeting short-term parking needs in the Central Area, including special enabling legislation to allow the City to regulate the amount, rates, hours of operation, signage and other operating features of parking in new development. Such control could also apply to temporary parking facilities, if the request to the province included this use.

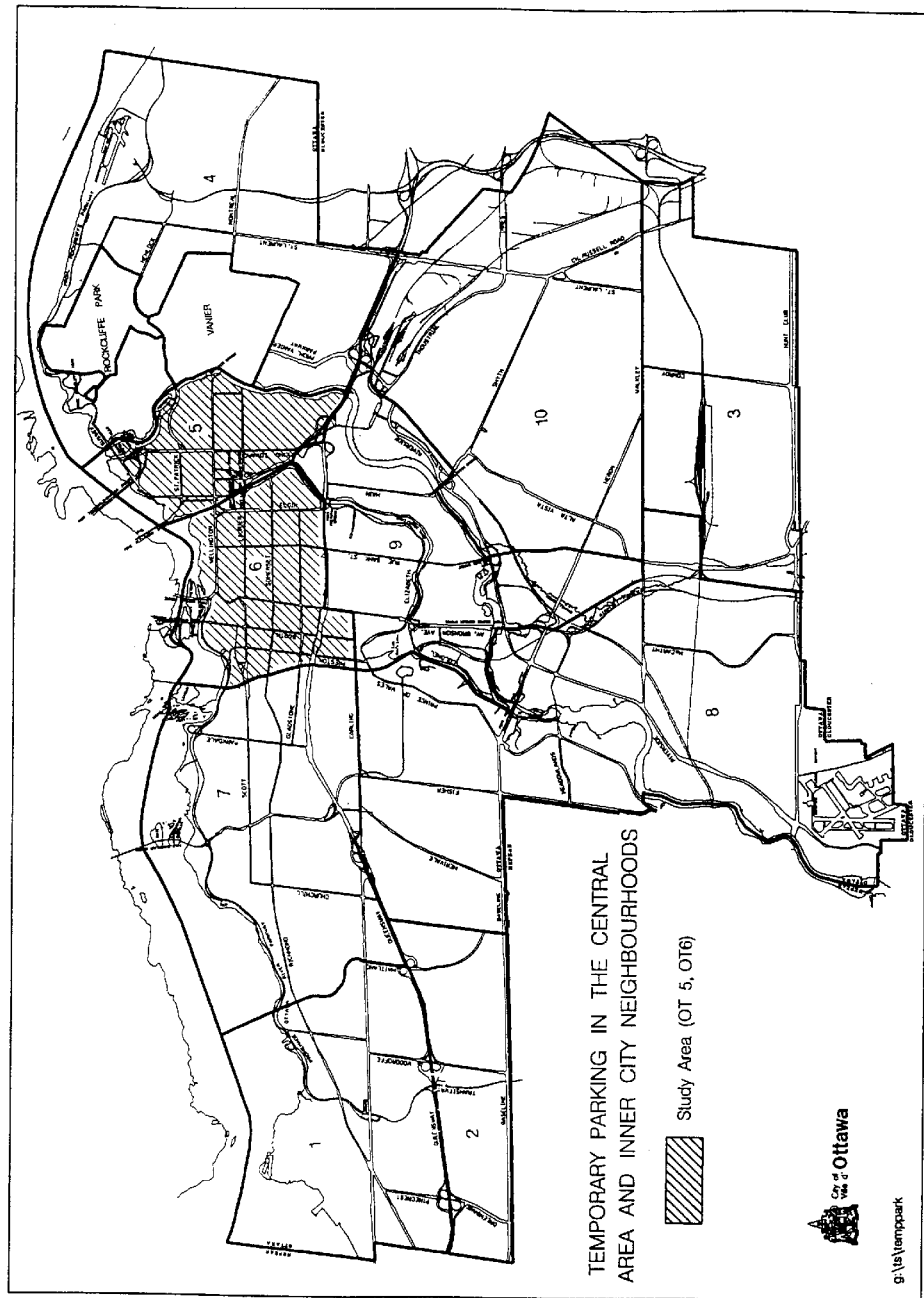
However, without the ability presently to control short/long-term parking through the Zoning By-law, it cannot be assumed that temporary parking facilities will assist in meeting short-term demand, therefore, the provision of short-term parking should not be used as a rationale for approving temporary parking.

Survey of Existing Temporary Surface Parking Lots

Site/Zoning Number Spaces (per files)	#Cars	Stack ed	Monthly Spaces/ Rate	Daily Spaces/ Rate	Hourly Spaces/ Rate
1. 90 Parent St. P-x-tp(2.5)[27] 22-70 spaces	120	YES	40/\$97.00	\$5.00, \$3.00 after 5pm & Sat/Sun	None
2. 100-126 Rideau St. C2-c-tp(8.0)[17] 95 spaces	90	NO	45/\$110.00	25/\$8.75, \$5.00 Sun.	25@\$1.25 per 1/2 hr.
3. 90 Murray St. BWM-x-tp 40 spaces	83	YES	/\$90	43/\$6.00, \$5.50 Early Bird	40@\$1.75 per 1/2 hr.
4. 166-184 Bank St. C2-x-tp[46] 77 spaces	100	YES	40/\$120.00	43/\$6.00, \$3.00 - Evenings	\$2.25 per 1/2 hr.
5. 186-198 St.Patrick St. HR-3-x-tp[1] 17 spaces	46	YES	none	46/\$6.00,	Very few/ \$1.75 per 1/2 hr.
6. 19-25 Empress R11-x-tp	50	NO	Reserved for St. Vincent's Hospital	Reserved	Reserved
7. 112 Waller St. / 151 Laurier Ave. E.	170	NO	\$90	\$6.00, \$3.00 after 4 pm. and Sat./Sun.	\$1.75 per 1/2 hr.

Appendix A

Study Area Map





Notification and consultation procedures carried out with respect to this issue-based study were approved by City Council as part of the terms of reference.

#### Supplemental Notification and Consultation

A discussion paper concerning temporary surface parking in the Central Area and inner city neighbourhoods was circulated to a broad range of stakeholders including community associations, business improvement associations, heritage architecture interests, environmental interests, and parking lot operators.

#### Environmental Advisory Committee

No comments were received.

#### Summary of Public Input

The following comments represent the major points which were stressed by the various stakeholders in this issue:

- Temporary surface parking undermines wise commercial and residential development, and is thus a significant threat to the vitality of commercial activity in, and the heritage character of, Sandy Hill
- It is contrary to the City's policy on automobile use, as pointed out in the discussion paper. The deleterious impact of the automobile on Sandy Hill continues to be a major concern.
- It is being encouraged by the present tax system on property. A change in the tax system is needed which will encourage development of vacant lots and discourage temporary parking lots.
- Between 1985 and 1995, daily commercial parking rates in the Central Area have decreased 20% in real terms and the overall parking supply has increased 45%. This has hurt transit ridership to the Central Area and is felt to have contributed 5 to 10% to the overall ridership decline. We concur with the conclusion in the discussion paper that there is "no demonstrated need for additional parking" in the Central Area at this time.
- The FCA endorses the existing OP policies concerning temporary surface parking since we support the enhancement of the alternatives to the private automobile as required by the policies of the City of Ottawa and RMOC.
- We support the suggestion that the policy re, temporary surface parking be extended to

each of the Character Areas and that policies re. temporary surface parking in each of the inner city neighbourhoods be established.

- We recommend that a policy be added to recognize Transportation Demand Management as a preferred solution to parking supply problems.
- The FCA urges the City to apply to the province for enabling legislation to allow the City to regulate the amount, rates, hour of operation, and other operating features of parking.
- While the supply of parking may be sufficient for the needs of the downtown core on an “area basis”, the By Ward Market has the greatest demand for parking during weekends and weekend evenings. Adding to this is the fact that during the past year, the By Ward Market has lost two large surface lots to development - the lot on Sussex Drive which accommodated 250 vehicles and the lot between Clarence and Murray at Sussex which accommodated 50 vehicles. We will soon see a third lost - the lot between George and York at Sussex which accommodates 85 vehicles. While we are most appreciative of the development, the reality is that we are losing a fair amount of our already limited parking resources within a viable retail/food/entertainment area and major contributor to the local economy.
- A farmer’s market/food retail district has very different needs than that of a pure retail district. While the desire to encourage the public to use alternative modes of transportation is understood, we fear that the undertone of the policy will be too restrictive. This is something that could not be supported by the BIA.
- The very fact that the By Ward Market is a commercial district where 72% of our patrons come by car, clearly indicates that discouraging temporary parking lots by identifying unrealistic criteria/guidelines is not in the Market’s best interests. While we may be able to encourage a portion of these drivers to use public transit, the fact remains that a large percentage of our visitors will still come by car.
- The overall philosophy of the discussion paper is biased toward not permitting surface parking lots in the Central Area. This bias is premised primarily on Policy 5.9.2.2 f) of the Official Plan, and is given preeminence over all other policy thrusts of the Official Plan. In our opinion, the review of temporary surface parking needs to be broadened and more balanced, also considering such factors as:
  - a. the current market;
  - b. overall economic and demographic realities since the Official Plan was written in the late 1980's;
  - c. the policies of other sectors of the Plan, including economic realities; and

- d. the criteria and basis upon which the request for temporary parking lots can be assessed and, if permitted developed.

#### Staff Response to Comments

- A change in the property tax system did occur this year whereby the complete tax bill will be charged to the property owner rather than dividing it with business tenants. This will make it more likely that taxes relative to parking lots will be paid and the costs to the property owner recouped through the rent they charge. This is irrespective of the business license and taxes which are to be paid directly by the business tenant (ie. parking lot operator).
- The policy approach to temporary surface parking in the Central Area is distinguished from other types of parking as one which should be discouraged due to negative impacts on the pedestrian environment and adding to the carbon emissions from automobiles. The Official Plan - Policy Review and Analysis section of the attached discussion paper provides a detailed list of related and supportive policy in other sections of the Plan which are directly related too these salient criteria with respect to this issue.
- Temporary surface parking represents a relatively minor portion of public parking available in the Central Area (2.2%). Therefore, it does not provide a substantial component of the parking supply. However, as it does detract substantially from the pedestrian environment by attracting private automobiles where it exists, it is not considered to be a legitimate component of the public parking supply in the Central Area and inner city neighbourhoods.
- As temporary surface parking is not considered to be a legitimate component of the public parking supply it should not be considered to contribute to the economic health of the Central Area. It may, on the contrary, be used as an indicator of economic decline as it reflects a depressed real estate market where properties remain vacant for extended periods with no apparent prospect of development.
- The policies of the Official Plan were written with an understanding of the deleterious effects of surface public parking on the environment of the Central Area. These policies are more essential to meeting the objectives of the Official Plan during times of economic downturn when more vacant lots are evident and the potential for their impact more imminent.

# Backgrounder

November 4, 1999

ACS1999-PW-PLN-0142

## **5. Ontario Municipal Board Appeals against the Zoning By-law, 1998** **Appels interjetés devant la Commission des affaires municipales de l'Ontario contre l'Arrêté municipal sur le zonage de 1998**

### **Issue**

This is a status report on appeals against the *Zoning By-law, 1998*. Since the last report on March 11, 1999, a number of Board hearings have been adjourned and in most cases rescheduled.

### **What's New**

1. Ontario Municipal Board recommended a minor change in Karagakos appeal resulting in the prohibition of convenience stores in apartment buildings with less than 100 units in a portion of Centretown bounded by Bank, Gloucester, Bay and James Streets.
2. Ontario Municipal Board adjourned David Gladstone appeal to early February 2000.
3. Hearing dates for environmental appeals rescheduled to March 27, 2000.
4. There are a number of pending withdrawals to numerous appeals, including parking lot operators, Andrew Doyle Investments and Urbandale Corporation.
5. Centretown Citizens Ottawa and Ottawa-Carleton Home Builders Association (OCHBA) are expected to be withdrawing all their appeals except for downzonings in Hintonburg, Dalhousie and Sandy Hill and OCHBA's appeal against the residential height reduction in Centretown. The other residential zoning appellants have withdrawn or intend to withdraw their full appeals.

### **Impact**

- if Council is unable to support the staff recommendations in this report, planning consultants will have to be retained to support Council's position at the Ontario Municipal Board.

**Contact: Elizabeth Desmarais - 244-5300, ext. 3503**

**Chief Communications Officer - Lucian Blair - 244-5300, ext. 4444**



November 4, 1999

ACS1999-PW-PLN-0142

(File: LBT-3200-500)

Department of Urban Planning and Public  
Works

Ward/Quartier

City Wide

- Planning and Economic Development  
Committee / Comité de l'urbanisme et de  
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

## 5. Ontario Municipal Board Appeals against the Zoning By-law, 1998

### Appels interjetés devant la Commission des affaires municipales de l'Ontario contre l'Arrêté municipal sur le zonage de 1998

#### Recommendation

That the amendments to the *Zoning By-law, 1998* resulting from the issue resolution process on the Ontario Municipal Board appeals against the new zoning by-law, be APPROVED, as detailed in the recommendations column of Document 2.

November 10, 1999 (7:54a)

Edward Robinson  
Commissioner of Urban Planning and Public  
Works

ED:ed


Contact: Dave Leclair - 244-5300 ext. 1-3871  
Elizabeth Desmarais - 244-5300 ext. 1-3503

November 10, 1999 (8:54a)

Approved by  
John S. Burke  
Chief Administrative Officer

## Financial Comment

Subject to City Council approval, there will be no cost to this report. (Additional OMB hearings for the recommended resolutions requiring Planning representation will not be required).

  
November 9, 1999 (10:34a)

for Mona Monkman  
City Treasurer

BH:cds

## Executive Report

### Reasons Behind Recommendation

This report outlines the progress made with respect to the appeals against the *Zoning By-law, 1998*. Since the last such appeals report, dated March 11, 1999, a number of Board hearings have been adjourned and in most cases rescheduled. Document 1 indicates the status of the remaining appeals, of which there are but 9 of the original 41, as well as the dates for the Hearings.

On September 27 and 28, the Kargakos appeal was heard before the Ontario Municipal Board. The Board issued an Order October 15, 1999 recommending a minor change. Essentially, the appellant had opposed Section 254 which permits convenience stores in apartment buildings and high-rise apartment buildings in the R6 zone. The Board ordered the retention of Section 254 of the *Zoning By-law, 1998*, with a modification to prohibit convenience stores in apartment buildings with less than 100 units in a portion of Centretown, and more specifically identified as the area bounded by Bank, Gloucester, Bay and James Streets.

On October 20, 1999 the Ontario Municipal Board agreed to an adjournment in the David Gladstone appeal, one item of which has also been appealed by the Regional Municipality of Ottawa-Carleton, due to the upcoming completion of the consultant parking study. The parking study is expected before Planning and Economic Development Committee before the end of this year. The new hearing date has been set for early February 2000.

The Hearing dates for the environmental appeals, including Les Filles de la Sagesse, Inglenook Developments and Ontario Hydro (should it proceed) have been rescheduled to March 27, 2000 at the City's request in order that the NOSS Implementation Study and associated implementing zoning amendments may be completed.

There are a number of pending withdrawals to numerous appeals, including the parking lot operators (Capital Parking et al), Andrew Doyle Investments and Urbandale Corporation. Each of these appellants has worked with staff, and in the case of Andrew Doyle Investments with Council, in the issue resolution process. There were no appeals to the amending by-law to resolve the Doyle/Urbandale appeals.

Minto Corporation, J. Colizza and the National Capital Commission have withdrawn their entire appeals; Urbandale Corporation has withdrawn all of its appeal with the exception of the appeal against the removal of the existing use clause, the latter of which is expected to be withdrawn following the outcome of the zoning and site plan approval appeal period associated with the Doyle/Urbandale parking lot lands along Lisgar Street. In addition, staff are expecting a complete withdrawal from Richcraft Homes Ltd. Finally, staff has been advised that the Centretown Citizens Ottawa and the Ottawa-Carleton Home Builders Association (OCHBA) will be withdrawing all of their appeals save for the downzonings in Hintonburg, Dalhousie and Sandy Hill, and OCHBA's appeal against the residential height reduction in Centretown. The Regional Municipality of Ottawa-Carleton continues its party status to the residential appeal regarding the downzonings. No date has been set for the residential downzonings Hearing.

Attached as Document 2 are staff recommendations to resolve the Ontario Hydro and Metcalfe Realty Co. Ltd.'s appeals. Staff met with both appellants independently and worked towards solutions to their appeals. The recommended zoning amendments are considered reasonable and acceptable from a land use planning perspective. It must be noted that if Council is unable to support the staff recommendations contained in this report, then planning consultants would need to be retained to support Council's position on these matters at the Ontario Municipal Board.

## Consultation

In its review of the outstanding appeals, staff held meetings with and/or exchanged correspondence and telephone calls with the appellants and undertook site visits prior to finalizing its recommendations.

## Disposition

Department of Corporate Services, Statutory Services Branch to notify the Regional Municipality of Ottawa-Carleton, Development Approvals Division, of City Council's decision.

Office of the City Solicitor to forward implementing by-laws to City Council.

Department of Urban Planning and Public Works to prepare and circulate the implementing by-laws.

## List of Supporting Documentation

- Document 1     Status of Appeals Against the *Zoning By-law, 1998*  
Document 2     Proposed Resolution to Two of the Remaining Appeals to the *Zoning By-law, 1998*



## Part II - Supporting Documentation

Document 1

### STATUS OF APPEALS AGAINST THE ZONING BY-LAW, 1998 (as of Oct.15, 1999)

Appellant	Appellant Name	Appeal Status	OMB Date
1	Urbandale Corporation	partially withdrawn	full withdrawal pending
2	20 Vic Management Ltd.	withdrawn	
3	D.Kenneth Gibson	withdrawn	
4	1155519 Ontario Inc.	withdrawn	
5	Toth Holdings Ltd.	withdrawn	
6	Andrew Axline	withdrawn	
7	AEB Holdco	withdrawn	
8	University of Ottawa	withdrawn	
9	David Gladstone	outstanding	Feb.7-11, 2000
10	Mastomattei Holdings	withdrawn	
11	Centretown Citizens Ottawa Corp.	Partial withdrawal pending	residential downzonings - TBA
12	RMOC	partially withdrawn	parking portion - Feb 7-11, 2000; residential downzonings-TBA
13	David McNicholl	dismissed	
14	898640 Ontario Inc.	withdrawn	
15	Claridge Residential Inc.	withdrawn	
16	Andrew Doyle Investments	withdrawal pending	Dec. 13-15
17	Minto Developments Inc.	withdrawn	
18	Ottawa-Carleton Home Builders Assoc.	Partial withdrawal pending	residential heights - to be determined
19	Richcraft Homes Ltd.	withdrawal pending	
20	Chris Jalkotzy	withdrawn	
21	O-C District School Board	deferred by OMB	after Sept., 2000
22	O-C Catholic District School Board	deferred by OMB	after Sept., 2000
23	Old Ottawa South Community Assoc. Association Ass	outstanding	to be determined
24	James A Colizza Architect Ltd.	withdrawn	
25	Louis Lepage	withdrawn	
26	Carsons A. Unsworth / Scott and McRae McCrae	withdrawn	
27	Helen Anderson	withdrawn	
28	Les Filles de la Sagesse d'Ontario	outstanding	Mar.27, 2000
29	NCC	withdrawn	
30	M. Denison and M.R.Denison in trust	withdrawn	
31	1155323 Ontario Ltd.	withdrawn	
32	Capital Parking et al	withdrawal pending	Dec.6-10
33	Ontario Hydro	withdrawal pending	Mar.27, 2000
34	Jim Kargakos	resolved by OMB	Hearing held

35	Cognos and Investors Group	withdrawn	
36	Arnon Corp.	withdrawn	
37	Metcalf Realty Co. Ltd.	Partially withdrawn	full withdrawal pending outcome at PEDC and Council
38	Canada Post Corp.	withdrawn	
39	Lois K. Smith	withdrawn	
40	Inglenook Developments Inc.	outstanding	Mar.27, 2000
41	The Canada Life Assurance Co.	withdrawn	

LEGEND      Withdrawn, dismissed or  
resolved (26 to date)



Possible withdrawal (6 to  
date)



Proceeding to OMB, or  
Unknown (9 to date)



## PROPOSED RESOLUTION TO TWO OF THE REMAINING APPEALS TO THE ZONING BY-LAW, 1998

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS	COMMITTEE RECOMMENDATION/ ACTION (PEDC)
33. Ontario Hydro	1. Section 563	1. L2B-tp-11 subzone is too restrictive (permitted uses, three year time limit) and was imposed without appropriate studies, contrary to Official Plan policies- the lands (numerous sites) are effectively sterilized- request lifting of L2B-tp11 temporary subzone	-the L2B-tp11 zoning was applied to those Ontario Hydro corridors which are designated as Greenway System in the City's Official Plan, pending determination of the ultimate zoning for these lands through the NOSS implementation study -however, lifting the three year time limit by removing the temporary subzone would not be in conflict with the policies of the Official Plan, as the L2B subzone itself was originally created to accommodate utility corridors within the Linkage designation -Ontario Hydro has also requested that the "accessory uses" currently allowed in the three year time limited L2B-tp11 subzone be permitted permanently through an exception (the current provision allows uses abutting L2B-tp11 subzones to locate accessory/ ancillary uses such as parking lots in the hydro corridors) -staff can support this proposal as removing the temporary limitation would not prejudice or compromise the NOSS implementation process, as no permanent buildings are permitted through this provision.	1. That Ontario Hydro Corridors currently designated as Greenway System in the City's Official Plan and zoned L2B-tp11 be rezoned to L2B.  2. That an exception be created and applied to all of the above L2B-zoned lands which includes the following provisions: (a) A use that is accessory to a permitted use on the land immediately abutting an L2B- Leisure Linkage subzone is permitted in that L2B subzone provided that: (i) the use must be accessory to a use located on an abutting property in an abutting zone; (ii) the use must be wholly contained within a radius of 120 metres from the abutting property to which that use is accessory; and (continued)	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS	COMMITTEE RECOMMENDATION/ ACTION (PEDC)
33. Ontario Hydro (continued)	1. Section 563 (continued)			(iii)the use must comply with the regulations in this by-law for the abutting zone as though that use were an accessory use to the permitted use on the abutting property; and  (b) No permanent building is allowed under these provisions	
	2. Zoning Map 26-6	2. L2B-tp-11[313] on east and west sides of St.Laurent Blvd. and north of Coventry Road- should be placed in a commercial zone to reflect District Linear Commercial designation in Official Plan	By-law has already been amended to address this matter- withdrawal pending		
	3. Exception [313]	3. Exception [313]-80% lot coverage provision too restrictive, does not reflect the size of existing parking lots- also, 80% figure was added without Council direction	By-law has already been amended to address this matter- withdrawal pending		

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS	COMMITTEE RECOMMENDATION/ ACTION (PEDC)
37. Metcalfe Realty Ltd.	1. Zoning Map 33-8, Table 327 vi), Section 323	1. 1385 Bank St.- maximum building height of 18 m. should be removed, as By-law No.Z-2K specified no height limit	-staff can support an increase in the maximum building height limit on the subject property to 27 metres as this will allow the use of the remaining development potential of the site permitted under the existing 2.0 FSI. -the impact, on the surrounding residential area, of two additional storeys on the existing four storey building, will be minimal as the subject property is located at the intersection of Bank Street, a regional road, and Kilborn Avenue, a collector road. Smaller scale commercial uses exist immediately to the east of the subject building and act as a transition between the building and the residential uses located on the east side of Kilborn Avenue. Office and retail uses are located to the north and south of the subject property. Finally, buildings of four, five and 13 storeys exist to the west, across Bank Street.	-Rezone 1385 Bank Street from CD F(2.0) to CD F(2.0) H(27)	
		- office uses permitted, but not computer/data centre; should be added as a permitted use, as this use was classified as office under By-law No. Z-2K	By-law has already been amended to address this matter- withdrawal pending		

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS	COMMITTEE RECOMMENDATION/ ACTION (PEDC)
37. Metcalfe Realty Ltd. (continued)	2. Zoning Map 9-6, Exception [653]	2. West side of Hinton Ave. N. (Lots 1500, 1502, 1504)- size limit of 280 sq. m. should be deleted- height limit and exception [653] should be removed as they are not in keeping with By-law No. Z-2K	By-law has already been amended to address this matter- withdrawal pending		
	3. Zoning Map 9-6, Exception [655]	3. Armstrong St./ Hamilton St.(Lots 1322,1324)- zoning should recognize existing parking lot use - maximum 19 m. height limit and exception [655] should be deleted as they are not in keeping with By-law No. Z-2K	By-law has already been amended to address this matter- withdrawal pending		
37. Metcalfe Realty Ltd. (continued)	4. Zoning Map 14-1	4. 221 Champagne Ave.N.- maximum building height of 18 m. should be deleted as it is not in keeping with By-law No. Z-2K	-the building height limits for the adjacent secondary employment centre (City Centre) range from 136.6 metres above sea level (approximately 80 metres above grade) to 80.3 metres above sea level (approximately 24 metres above grade) -the maximum building height limit permitted on that portion of the City Centre lands located immediately across the street and west of the subject property is 24 metres above grade -this height limit was chosen as a transition between the low profile townhouse	-Rezone 221 Champagne Avenue North from IG F(2.0) to IG F(2.0)with the following height suffixes:  1) 24 metres for the first 70 metres from Champagne Avenue North, and 2) 18 metres for remainder of the property	

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS	COMMITTEE RECOMMENDATION/ ACTION (PEDC)
			<p>development located across the street abutting the subject property and the higher building height limits applicable to the west.</p> <p>-in order to maintain this gradual transition in building profiles as directed by the Official Plan, the building height limit on the subject lands should not exceed 24 metres or less above grade on that portion of the subject property abutting Champagne Avenue North</p> <p>-a two-tier building height limit of 24 and 18 metres is recommended:</p> <p>1) 24 metres for the first 70 metres back from Champagne Avenue North, and</p> <p>2) 18 metres for the easterly portion of the property in order to ensure compatibility of any development on the site with the abutting residential area to the east.</p>		
37. Metcalfe Realty Ltd. (continued)	5. Zoning Map 16-3, Exception [441], Sections 367 and 368	5. 150 Isabella St.- maximum building height of 10.7 m. and setback provisions of Section 367 and 368 should be deleted as they are not in keeping with By-law No. Z-2K	By-law has already been amended to address this matter- withdrawal pending		

APPELLANT	ZONING BY-LAW	PARTICULARS	DISCUSSION	RECOMMENDATIONS	COMMITTEE RECOMMENDATION/ ACTION (PEDC)
	6. Zoning Map 14-7, Table 342 vi)	6. 265 Carling Ave.- maximum building height of 18 m. should be deleted as it is not in keeping with By-law No. Z-2K	By-law has already been amended to address this matter- withdrawal pending		



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November 5, 1999

ACS1999-PW-PLN-0154  
(File: OSP1984/221)

Department of Urban Planning and Public  
Works

Ward/Quartier  
OT8 - Mooney's Bay

- Planning and Economic Development  
Committee / Comité de l'urbanisme et de  
l'expansion économique
- Action/Exécution

## 6. Site Plan - 3755 Riverside Drive

### Plan d'emplacement - 3755, promenade Riverside

#### Recommendation

That the Site Plan Control Application (OSP1984/221) be APPROVED, as shown on the following plans:

1. "Site Plan, Riverside II, Cognos", Drawing Number 101, prepared by Edward J Cuhaci and Associates Architects, dated October 29, 1999, as revised to November 2, 1999, and dated as received by the City of Ottawa November 3, 1999;
2. "Landscape Plan, Riverside II, Cognos", Drawing Number 105, prepared by James B. Lennox and Associates Landscape Architects, undated, as revised to November 3, 1999, and dated as received by the City of Ottawa November 4, 1999;

subject to the conditions contained in Document 1.



November 9, 1999 (1:41p)

Edward Robinson  
Commissioner of Urban Planning and Public  
Works



November 9, 1999 (2:31p)


Approved by  
John S. Burke  
Chief Administrative Officer

PM:pm

Contact: Prescott McDonald - 244-5300 ext. 1-3854

## Financial Comment

Subject to City Council approval, the required financial security will be retained by the City Treasurer until advised that all conditions have been met and the security is to be released.

  
November 9, 1999 (10:40a)

for Mona Monkman  
City Treasurer

BH:cds

## Executive Report

### Reasons Behind Recommendation

This Site Plan Control application relates to the property known as 3755 Riverside Drive which is bounded by Uplands Drive to the north, Bowesville Road to the east, the Ottawa Hunt and Golf Club to the south, and Riverside Drive to the west. The property has a lot area of approximately 25,512 m<sup>2</sup> and gradually slopes upward from north to south. Current site development consists of a six-storey 7, 560 m<sup>2</sup> office building located towards the southerly end of the site with approximately 187 surface parking spaces located peripheral to the building. The northerly end of the site is vacant land that is partially wooded with deciduous and coniferous trees, estimated to be at a growth of between 15 and 20 years. This area of the site also serves a recreational function for the current office development and contains a basketball playing surface area and walking paths.

The development proposal is to construct a ten-storey office tower to the east of the existing six-storey office tower with ground and second floor building connections. There will also be an enclosed sixth floor pedestrian link between the two office towers. Surface parking for the development proposal will increase to approximately 255 spaces, with an additional 765 spaces being provided within a new four level parking garage to be located at the northerly end of the site, adjacent to Uplands Drive. There are currently two vehicular accesses to the site from Riverside Drive. The most northerly access being all directional and the second being right in and right out only. A third full vehicular access has been proposed from Bowesville Road, which is a dead-end road leading from Uplands Drive. Loading for this development will be setback approximately 85 metres from Riverside Drive, and will be visually obscured, being located between the existing and proposed office towers at the rear.

Site treatments focus on enhancement of the site's existing landscaping which consists of trees and shrubs. Planting is proposed adjacent to the buildings, within the surface parking area, along all street frontages, and along interior property lines. A more intensive planting of trees and shrubs is proposed adjacent to the parking structure to mitigate its impact on the adjacent streets. The building mass will be further mitigated by having one of the parking levels of the structure located partially below grade in order to reduce the overall building height. An inventory of existing plant material has been taken and a number of the existing significant trees will be either retained on-site where possible, or relocated off-site along Riverside Drive. Amenities for the office will include a relocated basketball court and a new

volleyball court located towards the northeasterly area of the site.

The site and landscape plans have been reviewed and represent a functional, efficient and sensitive development of the site, satisfying the intent of the Official Plan Policies in Section 4.3 dealing with Primary and Secondary Employment Centres, in particular, the policy on Development Guidelines for Employment Centres. In addition, the development proposal complies with the Official Plan's section on objectives and policies for the Urban Forest.

### **Economic Impact Statement**

The new office tower proposed by Cognos will have a positive economic and fiscal impact on the City. It is estimated that this development proposal will generate 92 person years of direct employment and an additional 800 to 900 new jobs in post construction work. The City will also earn additional property tax revenues of \$87,700 per annum.

### **Environmental Impact**

The Municipal Environmental Evaluation Process Checklist (MEEP) was completed and indicated that an existing on-site wooded area would be disturbed. Mitigation measures will include retention of existing trees where possible and replacement tree planting.

### **Consultation**

This application was subject to early notification and the posting of on-site information signs. As a result of the public notification, a public information meeting was held to discuss the development proposal. The resulting public comments and Departmental response from the early notification and public meeting have been summarized in Document 6.

### **Disposition**

Office of the City Solicitor to prepare the required Site Plan Control Approval Agreement.

Department of Urban Planning and Public Works to notify the owner (Cognos Incorporated, P.O. Box 9707-Stn T, Ottawa, Ontario, K1G 4K9, Attn: Doug Brown) and the agent (Mike Casey, 1801 Woodward Drive, Ottawa, Ontario, K2C 0R3) of the Planning and Economic Development Committee's decision.

**List of Supporting Documentation**

- Document 1     Conditions for Site Plan Control Approval
- Document 2     Location Plan
- Document 3     Site Plan
- Document 4     Landscape Plan
- Document 5     Municipal Environmental Evaluation Process Checklist (on file with City Clerk)
- Document 6     Compatibility with Public Participation Policy/input from Other Departments and Other Government Agencies

## Part II - Supporting Documentation

Conditions for Site Plan Control Approval

Document 1

### **PART I - CONDITIONS TO BE SATISFIED PRIOR TO THE EXECUTION OF THE REQUIRED AMENDING AGREEMENT**

#### **STANDARD CONDITIONS**

##### **STC 1.1 - Evaluation of Specific Existing Private Trees to be Retained**

The Owner must submit a statement specifying the species, size, health and structural stability for the existing trees identified on the Landscape Plan to be retained, to the satisfaction of the Commissioner of Urban Planning and Public Works. The inspection of these existing trees and the statement must be prepared by a person having qualifications acceptable to the Commissioner of Urban Planning and Public Works and may include, but need not be limited to a qualified Arboriculturalist, Forester, Silviculturalist, Landscape Architect, Horticulturalist, Botanist, or Landscape Technologist. (Contact Prescott McDonald, 244-5300, ext. 1-3854, Planning Branch)

##### **STC 1.2.1 - Landscape Elements Estimate by Landscape Architect**

The Owner(s) must provide a detailed itemized estimate prepared by a Landscape Architect, of the value of all required landscaping, in accordance with the Canadian Nurseries Association Standard, to the satisfaction of the Commissioner of Urban Planning and Public Works. (Contact Prescott McDonald, 244-5300, ext. 1-3854, Planning Branch)

##### **STC 1.3 - Posting of Financial Securities for Landscape Elements**

The Owner(s) must post Security in the amount of 100% of the value of the landscape elements as identified in the detailed itemized estimate, including estimates for new landscape elements on private and municipal and/or regional property, and a Tree Compensation Deposit for all or any specific existing trees to be retained on private property, which shall be retained in the custody of the City Treasurer, (no security will be taken for existing municipal and regional road allowance trees because they are already protected by the Trees By-law (By-law Number 55-93, as amended) and the Road Cut By-law (By-law Number 31-91 as amended). For the purposes of this condition, Security means cash, certified cheque, or subject to the approval of the City Treasurer, bearer bonds of the Government of Canada (except Savings Bonds), Provincial bonds or provincial guaranteed bonds, or other municipal bonds provided that the interest coupons are attached to all bonds, or letters of credit, with an automatic renewal clause, issued by a chartered bank, credit unions and caisse populaires, trust companies or some other form of financial security (including Performance Bonds from institutions acceptable to the City Treasurer). (Contact Debbie Van Waard, 244-5300, ext. 1-3570, Office of the City Solicitor)

## **PART 2 - CONDITIONS TO BE INCLUDED IN THE REQUIRED SITE PLAN CONTROL AMENDING AGREEMENT**

### **SPECIFIC CONDITION**

1. That the Owner agrees to implement and monitor the sediment and erosion control plan as indicated on Drawing 601 prepared by R.V. Anderson Associates Limited. (Contact: Deborah Irwin, 244-5300, ext. 3000, Environmental Management Branch)
2. To ensure that maximum use is made of the Riverside Drive access driveway(s), the Owner agrees to use best efforts to seek approval from the Region for the installation of a traffic control signal at the intersection of the site's south driveway with Riverside Drive and agrees that cost responsibilities will be determined between the owner and the Region to their mutual satisfaction. (Contact: John Smit, Licensing Transportation and Buildings Branch, extension 3365)

### **STANDARD CONDITIONS**

#### **STC 2.1 - Installation and Planting of Landscape Elements**

The Owner(s) shall install and plant all landscape elements in accordance with the Site Plan Control Approval, within one year from the date of occupancy, to the satisfaction of the Commissioner of Urban Planning and Public Works. The landscape elements shall include but not be limited to, all vegetation and topographic treatment, walls, fences, hard and soft surface materials, lighting, site furniture, free-standing ground-supported signs, steps, lamps, and play equipment, information kiosks and bulletin boards and other ground cover and new tree(s) and shrubs located on the road allowance.

#### **STC 2.2 - Reinstatement of Damaged City Property, Including Sidewalks and Curbs**

The Owner(s) shall reinstate to the satisfaction of the Commissioner of Urban Planning and Public Works, any property of the City or Regional Municipality of Ottawa-Carleton, including sidewalks and curbs, that is damaged as a result of the subject development. This reinstatement shall be at the expense of the Owner(s). (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

#### **STC 2.9 - Release of Financial Securities for Landscape Elements**

When requested by the Owner(s), the Security shall be released by the City Treasurer when authorized by the Commissioner of Urban Planning and Public Works according to City Council policy, provided that the landscape elements have been installed and planted in accordance with the Site Plan Control Approval, and that all plant materials are in good and healthy condition. (Contact Prescott McDonald, 244-5300, ext. 1-3854, Planning Branch, and/or where there are landscape elements on the road allowance, John Honshorst, 244-5300, ext. 1-3763, Operations Branch.)

#### **STC 2.10 - Retention and Release of Financial Securities for Specific Existing Private Trees Which Were to be Retained and Protected**

- i) The Tree Compensation Deposit shall be retained for a period of three (3) years during which time the deposit is non-retrievable, unless otherwise determined by the Commissioner of Urban Planning and Public Works. The period of time during which

- the money is non-retrievable shall only commence upon occupancy of the development, or as otherwise determined by the Commissioner of Urban Planning and Public Works.
- ii) To request a release of the Tree Compensation Deposit, the Owner(s) shall provide the Commissioner of Urban Planning and Public Works with a certified inspection and statement indicating:
    - a) whether the specific tree(s) remains structurally stable and healthy;
    - b) to what extent a tree(s) is damaged during construction;
    - c) whether the tree(s) will die primarily as a result of development;
    - d) whether or not an existing tree(s) will require replacement, primarily as a result of the effects of development.
  - iii) That the required inspection and statement shall be conducted by a person(s) having qualifications acceptable to the Commissioner of Urban Planning and Public Works and may include, but need not be limited to a qualified Arboriculturalist, Forester, Silviculturalist, Landscape Architect, Horticulturalist, Botanist, or Landscape Technologist.
  - iv) The terms of the release of the Tree Compensation Deposit shall be determined by the Commissioner of Urban Planning and Public Works upon review of the certified inspection and statement.
  - v) When determined by the Commissioner of Urban Planning and Public Works, based on the acceptance of the certified, inspection and statement addressing the need for possible tree removal; the Owner(s) shall replace the tree(s), by either:
    - a) one or more new deciduous tree(s) with a combined caliper size equal to those removed, but in no case shall each replacement deciduous tree be less than seventy-five (75) millimetres caliper,
    - b) one or more new coniferous tree(s) with a combined height of not less than that of the height of the tree to be removed, with each specimen not less than one point five (1.5) metres, except when prescribing species, varieties or cultivars which are normally less than ten (10) metres high at maturity, or
    - c) a combination of the above. (Contact Prescott McDonald, 244-5300, ext 1-3854, Planning Branch)

### **STC 2.11 - Task Oriented Lighting for Areas Other Than Those Used For Vehicular Traffic or Parking**

The Owner(s) agree that on site lighting, in addition to lights used to illuminate any area used for vehicular traffic or parking, shall be task oriented and shall be installed in such a manner that there will not be any spillover or glare of lights onto abutting properties.

### **STC 2.12 - Storage of Snow**

The Owner(s) agrees that snow stored on landscaped areas shall be in a well drained area where the storage will not result in over-spillage onto abutting lots nor destruction to planting areas.

### **STC 2.16.2 - Release of Site Plan Control Agreement for Non-residential or Mixed Use Developments**

The City may release the Owner(s) from any agreement required as a condition of this Site Plan Control Approval once all terms of the agreement have been completed but not earlier than five years after the date of release of all financial securities required as a condition of this Approval. The Owner(s) shall pay all costs associated with the application for and registration of release from this agreement. (Contact Compliance Reports Section,



244-5300, ext. 1-3907, Planning Branch)

### **PART 3 - CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT**

#### **STANDARD CONDITIONS**

##### **STC 3.1.1 - Signing of Site Plan Control Amending Agreement**

The Owner(s) must sign a Site Plan Control amending agreement including the conditions to be included in the agreement. When the Owner(s) fails to sign the required agreement and complete the conditions to be satisfied prior to the signing of the agreement within six (6) months of Site Plan Control Approval, the approval shall lapse. (Contact Debbie Van Waard, 244-5300, ext. 1-3570, Office of the City Solicitor).  
Branch)

##### **STC 3.2 - Approval of Private Sewer Systems, Lot Grading and Drainage Plan(s)**

The Owner(s) must submit a plan(s) showing the private sewer systems and lot grading and drainage which indicates:

- i) the methods that surface water will be self-contained and directed to catch basins, storm sewers, swales and or ditches, and then conveyed to the public storm, combined sewer system or City ditches unless otherwise directed by the Commissioner of Urban Planning and Public Works;
- ii) by calculation, that the stormwater runoff from this site will not exceed the design capacity of the City sewer system. The allowable runoff coefficient is 0.5, (if the uncontrolled stormwater runoff exceeds the requirement specified, an application to the Ministry of Energy and the Environment for stormwater management will be required);
- iii) that all sanitary wastes shall be collected and conveyed to a public sanitary or combined sewer; and
- iv) that all private storm and sanitary sewers required to service the subject site are completely separated from each other and conveyed to the public storm, sanitary or combined sewer, except in the designated Combined Sewer Area;

to the satisfaction of the Commissioner of Urban Planning and Public Works. (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

### **PART 4 - CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF AND DURING CONSTRUCTION/DEVELOPMENT**

#### **SPECIFIC CONDITIONS**

1. Prior to the issuance of any occupancy permit, the Owner(s) shall require that the site servicing contractor perform field tests for quality control of all sanitary sewers. Specifically the leakage testing shall be completed in accordance with OPSS 410.07.01.16 and 407.07.26. The field tests shall be performed in the presence of a certified profession engineer who shall submit a certified copy of the test results to the satisfaction of the Director of Engineering Branch. (Contact: Bruce Coombe, 244-5300, ext. 3461, Engineering Branch)
2. The curb and sidewalk is to be continuous and depressed across the private approach in

accordance with the Private Approach By-law 17-73. (Contact: Ray Fournier, 244-5300, ext. 3811, Engineering Branch)

3. That prior to the issuance of an occupancy permit, the Owner shall submit and obtain approval of a revised site plan depicting the following:
  - i) Minor turning radii modifications and minor modifications to the on-site circulation to orient to the greatest extent possible site generated traffic to Riverside Drive; and
  - ii) In conjunction with the installation of a traffic control signal (as per Condition 2. of the Conditions to Included in the Required Site Plan Control Agreement), minor modifications to improve the throat length leading to the site's south driveway and to make this driveway connection to Riverside Drive as efficient as possible.

The above modifications shall be to the satisfaction of the Commissioner of Urban Planning and Public Works with any modifications to the site's Riverside Drive access driveway(s) being to the satisfaction of the Region. (Contact: John Smit, Licensing Transportation and Buildings Branch, extension 3365)

## **STANDARD CONDITIONS**

### **STC 4.1 - Protection of Existing Municipal and/or Regional Trees and Shrubs Prior to and During Construction**

The Owner(s), in accordance with the Trees By-law (By-law Number 55-93, as amended), and the Road Cut By-law (By-law Number 31-91, as amended), must undertake protective measures to the satisfaction of the Commissioner of Urban Planning and Public Works prior to commencement of and during construction, to ensure against damage to any roots, trunks or branches of all existing Municipal and/or Regional trees and shrubs located , as shown on the Site Plan Control Approval, which are to be retained and protected. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch and Neil Dillon for inspection, 244-5300, ext. 1-3507, Building Code Services Division)

### **STC 4.2 - Protection of Existing Private Trees and Shrubs Prior to and During Demolition and/or Construction**

The Owner(s) must undertake protective measures to the satisfaction of the Commissioner of Urban Planning and Public Works, prior to commencement of and during demolition and/or construction, to ensure against damage to any roots, trunks or branches of all existing private trees and shrubs, as shown on the Site Plan Control Approval, which are to be retained and protected. Contact Neil Dillon for inspection, 244-5300, ext.1-3507, Building Code Services Division)

### **STC 4.3 - Approval of Work on Municipal Property or Easements**

The Owner(s) must receive written approval from the Director of Engineering prior to any work commencing on City or Regional property or easements. A description of the

proposed work along with twenty-four (24) copies of the plan illustrating the work must be submitted and will be circulated to all underground utilities for their comments, prior to any approval. (Contact Larry Lalonde, 244-5300, ext. 1-3820, Engineering Branch)

**STC 4.4 - Approval for Construction Related to Private Approaches**

The Owner(s) must receive written approval from the Commissioner of Urban Planning and Public Works for any construction related to a private approach within the road allowance. (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

**STC 4.5 - Notification of Construction or Alteration of Private Approach**

The Owner(s) must notify the Commissioner of Urban Planning and Public Works in writing when the construction or alteration of any private approach servicing this development will commence. Lack of notification may result in the City requiring changes to the private approach at the expense of the Owner. (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

**STC 4.6 - Construction Materials on Public Road Allowances**

The Owner(s) must ensure that:

- i) construction vehicles are to be loaded and driven in such a manner so that the contents will not fall, spill or be deposited on any road that has been given preliminary or final acceptance for use during construction;
- ii) all spills, dirt, mud, stone or other transported material from the road must be removed at the end of each day;
- iii) the road is cleaned immediately should this material pose a hazard to vehicles or pedestrians, and in the event of a dispute, the Commissioner of Urban Planning and Public Works will be the judge of what constitutes a hazard. In the event the material is not removed as required, it may be removed by the City at the expense of the Owner(s). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch and Neil Dillon, 244-5300, ext 1-3507, Building Code Services Division)

**STC 4.7 - Submission of Survey Plan Upon Pouring of Foundation(s)**

The Owner(s) must submit to the Chief Building Official, a certified building location survey including foundation elevations, upon completion of the foundation, to ensure interim compliance with the Zoning By-law and the approved private sewer system, lot grading and drainage plan(s). (Contact Neil Dillon, 244-5300, ext. 1-3507, Licensing, Transportation and Buildings Branch)

**STC 4.8 - Pumping of Liquids Into Sewers During Construction**

The Owner(s) in accordance with the Sewer By-law (By-law Number 163-73, as amended), must obtain authorization from the Commissioner of Urban Planning and Public Works prior to the pumping of any liquid or liquid with sediment into sanitary, storm or combined sewers during construction. Failure to obtain authorization may result in the owner(s) having to bear the full cost of removing all sediment and debris downstream from the construction site. (Contact Sewer Inspector, 798-8892, Operations Branch)

**STC 4.9 - Inspection of Service Connections**

The Owner(s) in accordance with the Sewer By-law (By-law Number 163-73, as amended), must contact the Department of Urban Planning and Public Works, Sewer Operations Inspections staff, to view the connection of deep services to municipal sewer lines. Compliance regarding service connections can only be determined if this inspection has been carried out. (Contact Sewer Inspector, 798-8892, Operations Branch)

**STC 4.10 - Requirements for Catch Basins and Storm Lines to Catch Basins**

The Owner(s) must ensure that:

- i) catch basins should be the trap type to prevent odours from the street coming back towards the building, since the has a combined sewer; and
- ii) storm lines to catch basins should have check valves to prevent back flow should the City sewer surcharge during a heavy storm or spring run-off. (Contact Sewer Inspector, 798-8892, Operations Branch)

#### **STC 4.11 - Requirement for Grease Trap**

The Owner(s), in accordance with the Sewer By-law (By-law Number 163-73, as amended), must install a grease trap on the internal sanitary plumbing system when a restaurant is established. (Contact Neil Dillon, 244-5300, ext. 1-3507, Licensing, Transportation and Buildings Branch)

#### **STC 4.12 - Requirement for Grease and Oil Interceptor**

The Owner(s), in accordance with the Sewer By-law (By-law Number 163-73, as amended), must install a grease and oil interceptor on the internal sanitary plumbing system where there is the storage or repair of vehicles. (Contact Neil Dillon, 244-5300, ext. 1-3507, Licensing, Transportation and Buildings Branch)

#### **STC 4.13 - Construction of Physical Barrier for Parking Area**

The Owner(s), in accordance with the By-law Regulating the Construction, Maintenance and Protection of Boulevards (By-law Number 170-73, as amended) and in accordance with Site Plan Control Approval, must construct a physical barrier preventing any portion of a parked vehicle from encroaching beyond the property line when an area on the privately owned land immediately adjacent to a street is used or proposed to be used to park vehicles. (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

#### **STC 4.14 - Regrading of Shoulders of Ditches**

The Owner(s) must:

- i) re-grade the shoulders of the ditch found on the road allowance abutting the site to be developed;
- ii) obtain utility clearances prior to the regrading of ditches ;
- iii) obtain the approval of the Department of Urban Planning and Public Works if the grade of the ditch bottoms are to change; and
- iv) maintain a grass cover as required by the By-law Regulating the Use and Care of Streets (By-law Number 165-73, as amended). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

#### **STC 4.15 - Reinstatement of Redundant Accesses**

The Owner(s) must reinstate the sidewalk and curb at the redundant access and maintain a curb face equal to or better than the existing adjacent curbs with all costs borne by the Owner(s). (Contact Ray Fournier, 244-5300, ext. 1-3811, Engineering Branch)

#### **STC 4.18 - Planting of Trees in Road Allowance**

The Owner(s) must ensure that any new road allowance tree(s) be planted as follows:

- i) 0.6 metres from the property line, pursuant to the Standard Locations for Utility Plant (referred to as the CR-90), as approved by the City;
- ii) utility clearances are required prior to planting and/or staking;
- iii) wire baskets and burlap used to hold the root ball and rope that is tied around the root

- collar are to be removed at the time of the planting of the tree(s);
- iv) guying of the tree(s) is not acceptable;
  - v) the tree(s) must meet the requirements set out by the Canadian Nursery Standards; and
  - vi) tree stakes are to be removed prior to the release of the financial securities for the landscape elements. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

#### **STC 4.19 - Requirement for "As Built" Drawings of Private Sewer Systems, Lot Grading and Drainage**

The Owner(s) must provide the Department of Urban Planning and Public Works with "As Built" drawings of all private sewer systems, lot grading and drainage, prior to the issuance of a final occupancy permit. (Contact Bruce Coombe, 244-5300, ext. 1-3461, Engineering Branch)

### **PART 5 - FOR THE INFORMATION OF THE REGISTERED OWNER(S)**

#### **STI 1 - Additional Requirements**

This approval only relates to Site Plan Control matters and the owner must still abide by all other municipal by-laws, statutes and regulations.

#### **STI 3 - Release of Existing Site Plan Control Agreement(s)**

The existing site plan control agreement(s) may be eligible for release according to the City Council approved policy, at the cost of the Owner(s). (Contact Compliance Reports Section, 244-5300, ext. 1-3907, Planning Branch)

#### **STI 4 - Changes to the Site Plan Control Approval**

Changes to the Site Plan Control Approval may require a new approval according to the provisions of the Site Plan Control By-law.

#### **STI 5 - Permit Required for Signs**

This Site Plan Control Approval does not constitute approval of any sign. The Owner(s) must procure separate sign permits for all signs in accordance with the Signs By-law (By-law Number 311-90, as amended). Further, according to the Site Plan Control By-law, where proposed ground signs are not indicated on an approved plan(s), the Owner must seek Site Plan Control Approval to reflect the intended sign(s) prior to the issuance of the required sign permits. (Contact Jim Denyer, 244-5300, ext. 1-3499, Planning Branch)

#### **STI 7 - Maintenance of Municipal Boulevard**

In accordance with the Use and Care of Streets By-law (By-law Number 165-73, as amended) the Owner(s) and or prospective owner(s) will be responsible for the maintenance of the municipal boulevard. (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

#### **STI 8 - Prohibition of Storage of Snow on Road Allowance**

No snow is to be deposited on the road allowance as per the By-law Regulating the Use and Care of Streets (By-law Number 165-73, as amended). (Contact John Honshorst, 244-5300, ext. 1-3763, Operations Branch)

#### **STI 9 - Cash-in-Lieu of Stormwater Management**

Cash-in-lieu of stormwater management for water quality may be required as the site is located within the . (Contact Jim Dempsey, 244-5300, ext. 1-3498, Engineering Branch)

## **REGION OF OTTAWA-CARLETON**

### **ROC Registered Agreement Required**

The Owner(s) is advised that an agreement must be entered into with the Region of Ottawa-Carleton and the Owner(s) (Contact Millie, Mason, Legal Department, 560-6025, ext. 1224) which will include the following conditions:

### **ROC -Other Conditions and Information**

**The following Regional conditions are required to be included in a Regional Site Plan Agreement:**

## **TRANSPORTATION**

### **Road Widenings**

- T1 In accordance with the Regional Official Plan, the Region has a widening requirement across the complete Riverside Drive frontage measuring 20 meters from the existing centreline of pavement to bring the existing Riverside Drive right-of-way to 40 meters. The exact widening must be determined by legal survey. The owner shall provide a Reference Plan for registration, indicating the widening. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys and will be submitted to the Region for review prior to its deposit in the Registry Office. The widening must be conveyed to the Region of Ottawa-Carleton prior to construction on the site or on the regional road. The conveyance will be at no cost to the Region.
- T2 In accordance with the Regional Official Plan, an additional widening is required at the intersection of Riverside Drive and Uplands Drive to provide a 4.5 by 4.5 meter corner triangle measured from the widened street lines.
- T3 No permanent features will be permitted above and below-grade within the widened right-of-way or corner triangle, including commercial signage.
- T4 In accordance with the Regional Official Plan, the owner shall construct a concrete sidewalk to regional standards and specifications across the frontage of the development.

### **Vehicular Access**

- T8 In accordance with the Regional Regulatory code, the grade of the access should not exceed 2% for a distance of 6 meters from the widened streetline.
- T9 The proposed access should be constructed having a depressed curb and continuous concrete sidewalk across the access.

## 130

- T12 The owner has completed a Transportation Impact Study for this site. The Region is reviewing this Study and will contact the Owner's Consultant, Delcan Corporation, following completion of the Environment and Transportation Department review. The recommendation that traffic control signals be installed at the intersection of Riverside Drive/Kimberwick Crescent, and a northbound right-turn lane on Riverside Drive to enter the site being constructed, will be subject to Regional Council approval.
- T13 The owner is responsible for all costs such as those associated with the public roadway modifications including final design construction drawings, traffic signal plants and sidewalks. The final design and specifications shall be to the satisfaction of the Environment and Transportation Commissioner.
- T14 The owner shall be required to enter into a Traffic Signal Agreement with the Region to provide for the ongoing maintenance of signals at Riverside Drive/Kimberwick Crescent until such time as the Ministry of Transportation's traffic signal warrants are met and Regional Council approved the assumption of these costs.

### Public Transit

- T17 The owner shall relocate/adjust those OC-Transpo's lay-by/bus stops which will be impacted by the proposed new roadworks and private approaches to the site.

### Landscaping

- T18 In accordance with the Regional Regulatory Code, any trees removed from the Regional Road right-of-way, must be replaced at the owner's expense and/or appropriate compensation provided.
- T19 The owner shall be required to enter into a maintenance and liability agreement for all plant material placed in the Regional Road right-of-way and the owner shall assume all maintenance and replacement responsibilities in perpetuity.

## ENVIRONMENT

### Stormwater Management

- SWM4 The owner agrees to prepare and implement an erosion and sediment control plan to the satisfaction of the local municipality, appropriate to the site conditions, prior to undertaking any site alterations (filling, grading, removal of vegetation, etc.) and during all phases of site preparation and construction in accordance with the Current Best Management Practices for Erosion and Sediment Control.

### Industrial Waste

- IW1 In accordance with the Regional Regulatory Code, the owner shall install and maintain in good repair in each connection a suitable manhole to allow observation and sampling of sewage and stormwater by the Region of Ottawa-Carleton.

- IW2 Any sanitary or storm drainage from the site must comply with the provision of Section 5.2 of the Regional Regulatory Code.
- IW3 Prior to discharge of sewage into the sewer system, a Waste Survey Report required by Section 5.2.5 of the Regional Regulatory Code must be completed and submitted to the Industrial Waste Section, 800 Green Creek Drive, Gloucester. For information, contact Industrial Waste Inspector at 560-6086, Extension 3326.

### **Water**

- W2 The details for water servicing and metering shall be in accordance with the Regional Regulatory Code.
- W5 In accordance with the Regional Regulatory Code, no driveway shall be located within 3.0 m of an existing fire hydrant. No objects, including vegetation, shall be placed or planted within a 3.0 m corridor between a fire hydrant and the curb nor a 1.5 radius beside or behind a fire hydrant.
- W9 The owner shall be required to co-ordinate the preparation of an overall utility distribution plan showing the location (shared or otherwise) and installation, timing and phasing of all required utilities (on-ground, below-ground) through liaison with the appropriate electrical, gas, water, sewer, telephone and cablevision authorities and including on-site drainage facilities and streetscaping - such location being to the satisfaction of all affected authorities.

### **Finance**

- RDC The owner, heirs, successors and assigns shall ascertain if development charges are payable pursuant to the Regional Development Charges By-law and any amendment or revision thereto.

## **ENVIRONMENT**

### **Water**

- W1 Fire flow records indicate a flow of 1368 IGPM at 20 PSI from the hydrant located at Riverside Drive and Uplands Drive. This test was performed in August 1999. This flow reflects system conditions on the test day; however, there are variations in flow and pressure depending on the time of day. The owner may be required to undertake an engineering analysis of the water supply certified by a Professional Engineer to ensure that the water supply meets municipal/regional standards.
- W3 The owner shall submit drawings for approval prior to tendering and make application to the Regional Environment and Transportation Department for the water permit prior to the commencement of construction.
- W7 The owner shall satisfy the requirements of the Building Code with respect to hydrants(s).



**Solid Waste**

- SW4 Waste collection and recycling collection will not be provided by the Region. The applicant should make appropriate arrangements with a private contractor for waste collection and recycling collection.
- SW5 The owner should consult a private contractor regarding any access requirements for waste collection and/or recycling collection.

**ENBRIDGE-CONSUMERS GAS**

Enbridge-Consumers Gas should be contacted regarding the necessity of providing easements or servicing requirements. (Contact Gary Roth, Engineering Department, 742-4636)

**OTTAWA HYDRO**

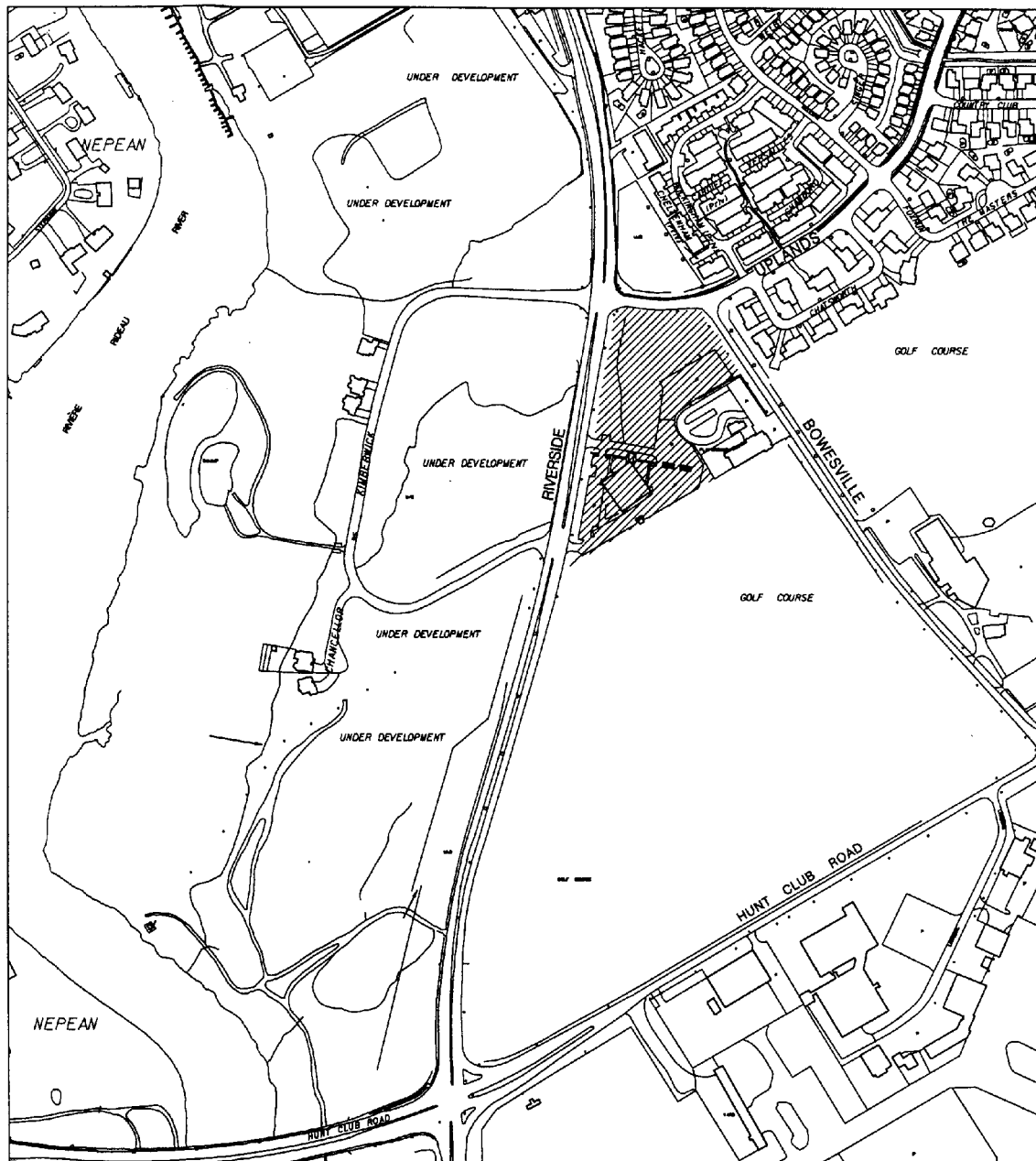
Ottawa Hydro, Engineering Department should be contacted regarding the necessity of providing a transformer and vault, pad mounted transfer and easements. (Contact Daniel Desroches, 738-5499, ext. 210)

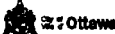
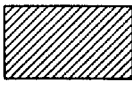

**BELL CANADA**

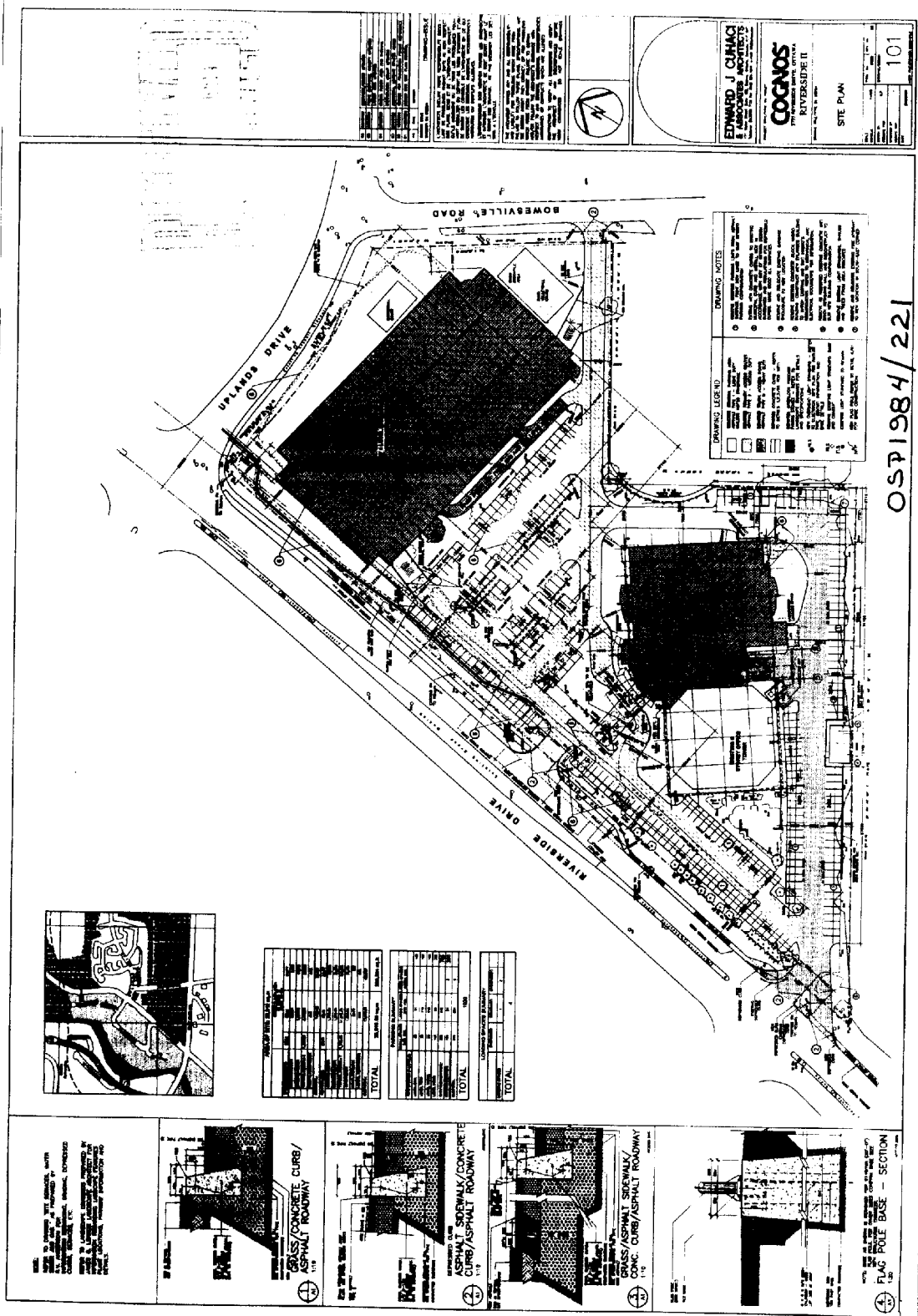
Bell Canada should be contacted three months in advance of any construction. (Contact Rick Watters, 742-5769)

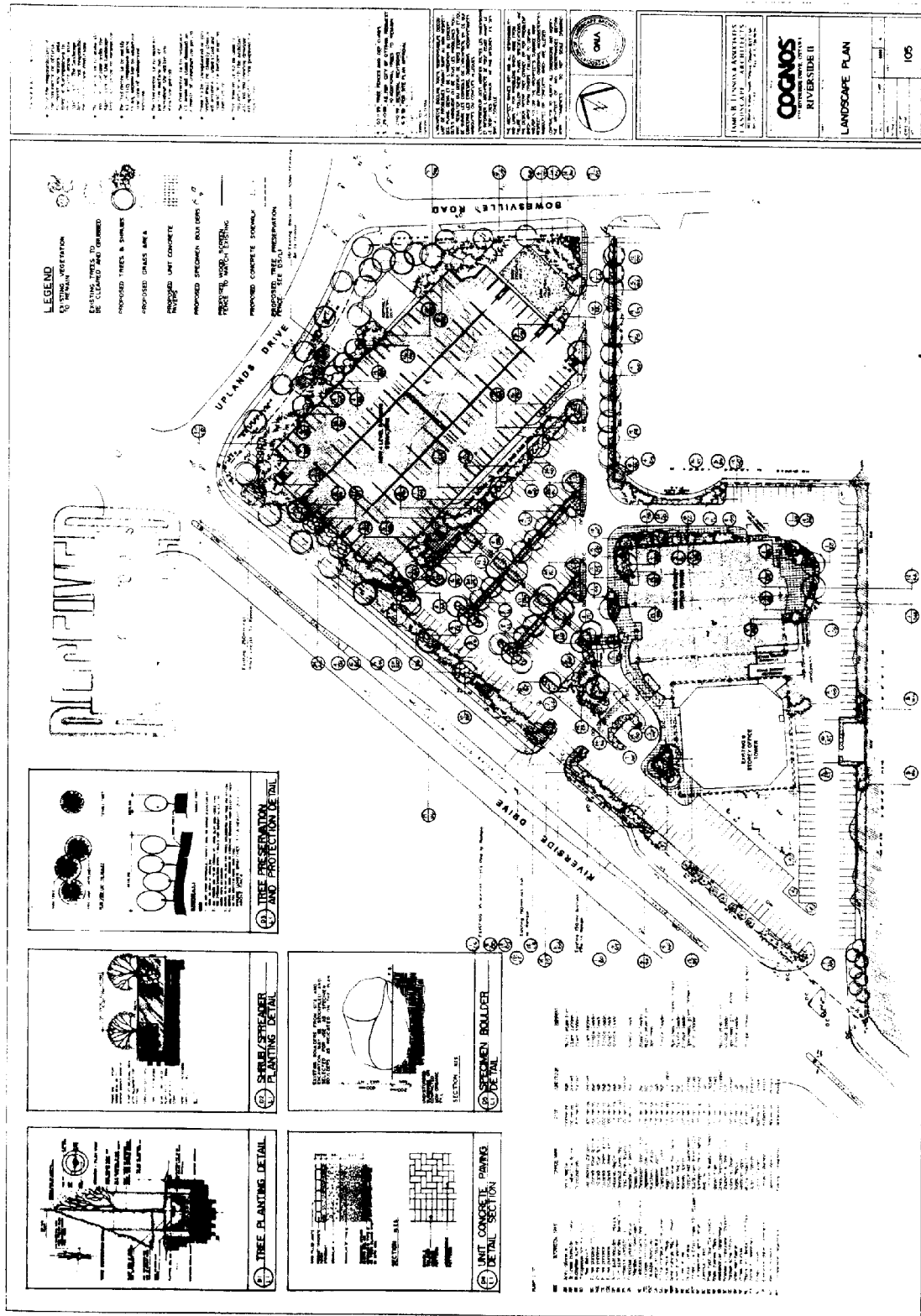
**CANADA POST CORPORATION**

In the case of a private street, door to door postal service at this site location is not available and an owner supplied and installed lock box assembly panel will be required. (Contact Jacques Lachance, Delivery Services Officer, 734-1647)



 <p>Produced by Planning Branch Department of Urban Planning and Public Works Topographical Information Provided by the MCC © Copyright City of Ottawa 1988</p>	<div style="text-align: center;">  <p><b>LOCATION MAP SITE PLAN CONTROL</b></p> <p><b>3755 RIVERSIDE DR.</b></p> </div>	<div style="text-align: center;">  <p>SCALE N.T.S. METRES</p> </div>
<p>OSP-1984-221   K-361-99 i:\co\rivers\3755</p> <hr/> <p>SEPTEMBER 28, 1999 REVISION DATE</p>		





NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures carried out in accordance with early notification procedure P&D/PPP/N&C #2 approved by City Council for Site Plan Applications.

SUPPLEMENTAL NOTIFICATION AND CONSULTATION

A public meeting was held by the Quinterra Riverwood Community Association on October 25, 1999, at the Cognos building at 3755 Riverside Drive where approximately 90 residents were in attendance.

Disability Issues Advisory Committee

## Parking Spaces

There are currently 3 parking spaces designated for the handicapped at the existing building. The new building will have double the floor space of the existing one, yet there has been no addition of barrier free or HC spaces. We recommend that 7 spaces be added and that those spaces can be located on the ground floor of the new parking garage near the pedestrian door. Their location in the garage will provide some greater level of protection from the elements, especially in the winter.

## Entrance Accessibility

As a consequence of the location of the HC spots in the garage, a pathway with curb cuts will be required from the garage to the building entrance. There is one shown on the landscape drawing and presumably curb cuts will be added at the points where the path meets the outdoor parking areas curbs and where the path meets the area around the building's front entrance. I noted that the existing building has a sloped entrance way from the road to the front door for ease of access by those in wheelchairs and would assume and recommend that the new building have this feature as well at its front entrance.

Response

The site plan has been subsequently revised to reflect a total of 6 handicapped parkings spaces, reflecting the minimum amount required by the City's Handicapped Parking By-law, (20-84). With respect to locating handicapped parking spaces within the parking structure, the applicant has advised that the slope of the ramped parking area exceeds minimum requirements for handicapped parking. The applicant's preferred location of the handicapped parking is close to the building's entrance. The advantage to this location over a garage location is a significant reduction in distance the disabled user would have to travel in accessing the building. Depressed curbing to accommodate disability building access will be provided.

## PUBLIC INPUT

### **Quinterra Riverwood Community Association**

#### Written Comments

Tree preservation plan. We are concerned that the proposed parking garage will result in the removal of virtually all of the existing trees at the corner of Uplands and Riverside. It would be helpful to know the city's requirements on this issue, and any plans Cognos may have provided to show how they intend to comply with these requirements. (I note that the Cognos woodlot was not included in the NOSS study, but that the city does have a policy to preserve trees where possible).

#### Response

The City's Official Plan does deal with the Urban Forest where developments are encouraged to preserve, relocate and/or plant additional trees. The Cognos development plan will relocate a number of Honey Locust trees along the east side of Riverside Drive, however, due to the sandy soil conditions of where the naturally occurring Black Locust trees are on-site, it is the opinion of Regional and City staff that these trees would be unsuitable for transplant to the Riverside Drive boulevard area or to a neighbouring City park. The Cognos Corporation did freely offer any of the Black Locust trees for transplanting to the local residents at the meeting held October 25, 1999. It should be noted that the revised landscape plan now under consideration does propose to preserve a number of the existing trees, and the replacement plant material proposed will compensate for the loss of the remaining trees. It is the Department's position that the development plan adequately addresses the directives of the Official Plan's section on the Urban Forest.

#### Minutes from the Meeting of October 25, 1999

Representatives of Cognos and Arnon Construction introduced their proposed site plan, and indicated that they are sensitive to community concerns. Issues raised included:

1. The traffic implications for Riverside Dr. and Bowesville Rd. (e.g. the possible need for new lights at the Kimberwick entrance to Cognos).
2. Residents of Quinterra Court noted that they had observed vibrations from a test "pile drive", and expressed concern about a possible impact on their foundations. Cognos undertook to broaden the range of houses to be visited by their insurance agents. It was also noted that there would be no blasting, but that pile driving for the new building would take about 7 weeks (starting in December).
3. Questions were raised regarding the design, size, and location of the four-level parking garage. It was noted that this building would stand at the entrance to both the Quinterra Riverwood and Hunt Club communities.
4. Concerns were expressed regarding the preservation or relocation of trees on the site, particularly since it would be necessary to complete the replanting as soon as possible.

Response

1. A traffic impact study for the development proposal is currently being reviewed by the Region to determine whether traffic signalization upgrades are required along Riverside Drive.
2. This concern was also identified in Pubic Input and has responded to below.
3. Cognos indicated that the top of the garage would be level with the second storey of their office building, and that the structure would have some decorative elements. The site plan also has been revised to an increased building setback of between 7.5 to 8.3 metre setback from Riverside and Uplands Drives, and Bowesville Road.
4. It was noted that Mr. Craig Huff (Regional Forester) will meet with the Cognos landscape architect shortly to discuss tree preservation. Conclusions regarding tree preservation have been responded to in the written comments received from the Quinterra Community.

**Public**

Four written responses were received from the general public and have been summarized and responded to below:

1. Is there been any environmental and transportation studies made to ensure a positive impact on both traffic and community in general?
2. Building height should be kept to that of the existing six storey tower.
3. Concern over residential structural and existing infrastructure damage resulting from the Cognos construction pile driving.

Response

1. The submission of a Site Plan Control application includes a completed Municipal Environmental Evaluation Process (MEEP) form which identifies the development's potential impact on the environment. A Municipal Environment Evaluation Report (MEER) is only required when there are identified potential adverse environmental impacts which are not mitigable. The Cognos submission application did not identify adverse environment impacts which were not mitigable. However, a transportation study has been received for the development proposal indicating that the existing road infrastructure has sufficient capacity to accommodate the development.
2. The location of the 10-storey office tower is appropriately setback for Riverside Drive and the surrounding residential development so as to have little or no impact

on neighbouring properties. A reduced building height and resulting increase in building footprint size would reduce the surface parking area. If this plan were to be implemented, the size of the parking structure would increase, which would have a greater negative impact and is therefore not recommended.

3. The Cognos company agreed to do an expanded structural survey, beyond what had been recommended by an engineering firm, to include individual requests from the Quinterra community above.

## **INPUT FROM OTHER DEPARTMENTS OR OTHER GOVERNMENT AGENCIES**

### **COUNCILLOR'S COMMENTS**

Councillor Jim Bickford supports this site plan application.

### **APPLICATION PROCESS TIMELINE STATUS**

This application which was received on September 20, 1999, was subject to a project management timeline, as recommended by the "A Better Way Task Force Report". A process chart, which established critical milestones, was prepared and circulated as part of the technical and early notification process. This application was processed in advance of the 70 to 110 calendar day timeframe established for the processing of Site Plan Control Approval applications and is being considered on an advanced targeted Planning and Economic Development Committee meeting date.



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November 1, 1999

ACS1999-PW-PLN-0089  
(File: OHA1100/305)

Department of Urban Planning and Public  
Works

Ward/Quartier  
OT8 - Mooney's Bay

- Local Architectural Conservation  
Advisory Committee / Comité consultatif  
local sur la conservation de l'architecture
- Planning and Economic Development  
Committee / Comité de l'urbanisme et de  
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

**7. Application to Alter the Booth Barn Complex, Central Experimental  
Farm, under Part IV of the Ontario Heritage Act**

**Demande de modification des granges Booth, Ferme expérimentale  
centrale, en vertu de la Loi sur le patrimoine de l'Ontario**

**Recommendation**

That the proposed Application to Alter the Booth Barn Complex, Central Experimental Farm, through the removal of two of its later additions and the stabilization of the remaining portion of the building, received October 27, 1999, be APPROVED.

(Note: Approval to Alter this property under the Ontario Heritage Act must not be construed to meet the requirements for the issuance of a Building Permit).



November 2, 1999 (11:17a)

Edward Robinson  
Commissioner of Urban Planning and Public  
Works



November 2, 1999 (12:40p)

Approved by  
John S. Burke  
Chief Administrative Officer

SC:sc

Contact: Sally Coutts - 244-5300 ext. 1-3474

Agent: Katz, Webster, Clancey, Associates, Architects,


Owner: Agriculture and Agri-Food Canada

***Local Architectural Conservation Advisory Committee Recommendation - November 16, 1999***

- ▶ *The Committee concurs and so recommends.*

**Financial Comment**

N/A.

  
November 2, 1999 (10:31a)

for Mona Monkman  
City Treasurer

BH:cds

**Executive Report**

**Reasons Behind Recommendation**

In 1996 City Council approved the designation of the Booth Barn Complex under Part IV of the Ontario Heritage Act (By-law 101-97) because of its association with J.R. Booth, Ottawa's leading lumber baron, and the role that the complex has played in the history of the Central Experimental Farm (CEF), Animal Husbandry Division (see Statement of Reason, Document 1).

The Booth Barn Complex is at the south end of the CEF near Baseline and Prince of Wales Roads (see Document 2). It was constructed in the late 19<sup>th</sup> century in four sections that form a U-shaped structure, open to the south. The sections are: the original Hay Barn, a gable roofed structure, sheathed in board and batten, the Horse Barn, also gable roofed, and two sheds, probably designed later to store hay and perhaps part of an earlier function of the building as a livery stable. In addition, the CEF constructed two silos to the south of the Hay Barn after its acquisition (See Document 3). When the Booth Barn Complex was expropriated for the Farm in 1929, it was converted for use as a Beef Barn, which required some changes, primarily to the interior of the structure. It served as part of the CEF's cattle programme until it was closed in the early 1990s. It has been empty since then. Structural analysis has revealed that the Complex is in very bad condition.

In 1996, the Booth Barn Complex was slated for demolition. This prompted the designation of the building under the Ontario Heritage Act by the City of Ottawa and a request by City Council to the Historic Sites and Monuments Board of Canada to designate the CEF as a cultural landscape of National Historic significance. This federal designation was announced in 1998. In 1999 Agriculture and Agrifood Canada (AAFC) made the Booth Barn Complex a priority and identified money in its budget to stabilize the Hay and Horse Barns and to remove the sheds (See Document 4). An "Application to Alter" to undertake this work was received on October 27, 1999. If this work does not proceed before winter, there is a good chance that the snow loads will cause it to collapse.

The Department of Urban Planning and Public Works supports this proposal because it will assure the retention of a significant part of the Booth Barn Complex. The preservation of this part of the structure will ensure that a tangible reminder of the era before the CEF acquired the Barn will remain part of its cultural landscape.

The Central Experimental Farm Advisory Council considered the proposed project at its meeting of September 7, 1999. The Council assessed the proposed alteration to the Booth Barn Complex with regard to the Commemorative Integrity Statement that was prepared by Parks Canada as a result of its designation by the Historic Sites and Monuments Board of Canada. The Commemorative Integrity Statement identifies the Booth Barn Complex as a “Level 2 Built Cultural Resource” valued as a building that predated the Farm because of the “evidence [it] provide (s) of early agricultural activity in the region ... as a feature in the cultural landscape ... and for its own architectural merit.” The Council supported the proposed changes to the building. The Federal Heritage Buildings Review Office did not review the changes because the Booth Barn Complex is not a federally-designated structure.

## Consultation

In addition to consulting with its Advisory Council on this project, AAFC has contacted heritage groups and neighbourhood of the CEF. Because of the isolated location of the Complex, far away from a residential neighbourhood, the City notified the Chairs of local community groups to inform them of the dates that the “Application to Alter” submission was proceeding to LACAC, PEDC and City Council.

## Disposition

Department of Corporate Services, Statutory Services Branch, to notify the agent for the property owner (Doug Clancey, Katz, Webster, Clancey, Associates, Architects, 19 Main Street, Ottawa, Ontario, K1S 1A9) and the Ontario Heritage Foundation (10 Adelaide Street East, 3<sup>rd</sup> Floor, Toronto, Ontario, M5C 1J3) of City Council’s consent to alter the Booth Barn Complex, Central Experimental Farm.

## List of Supporting Documentation

Document 1	Statement of Reason for Designation
Document 2	Location Map
Document 3	Plan of Booth Barn Complex
Document 4	Photographs of Booth Barn Complex
Document 5	Elevations of Booth Barn Complex after removal of sheds

## Part II - Supporting Documentation

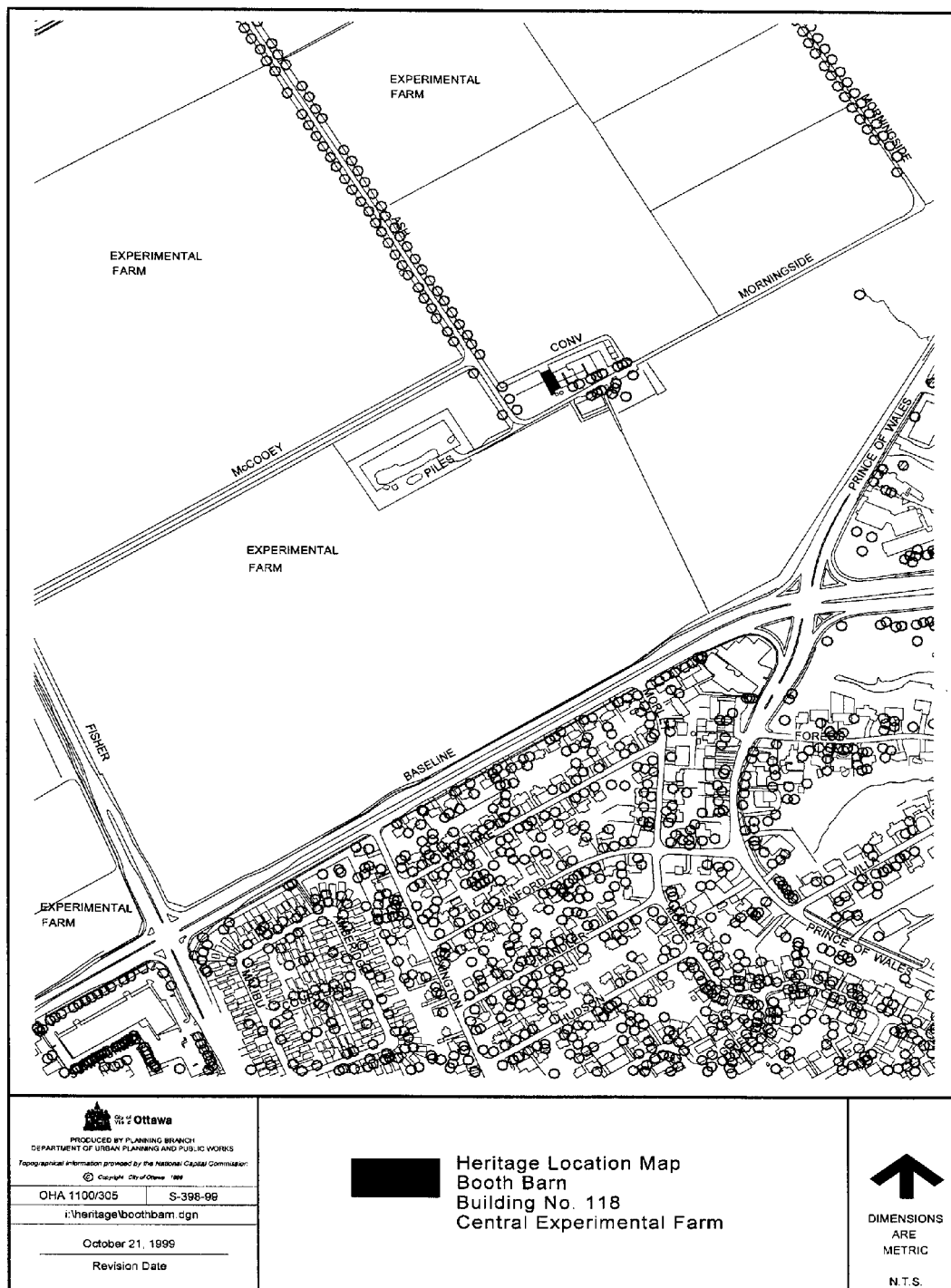
### Statement of Reason for Designation

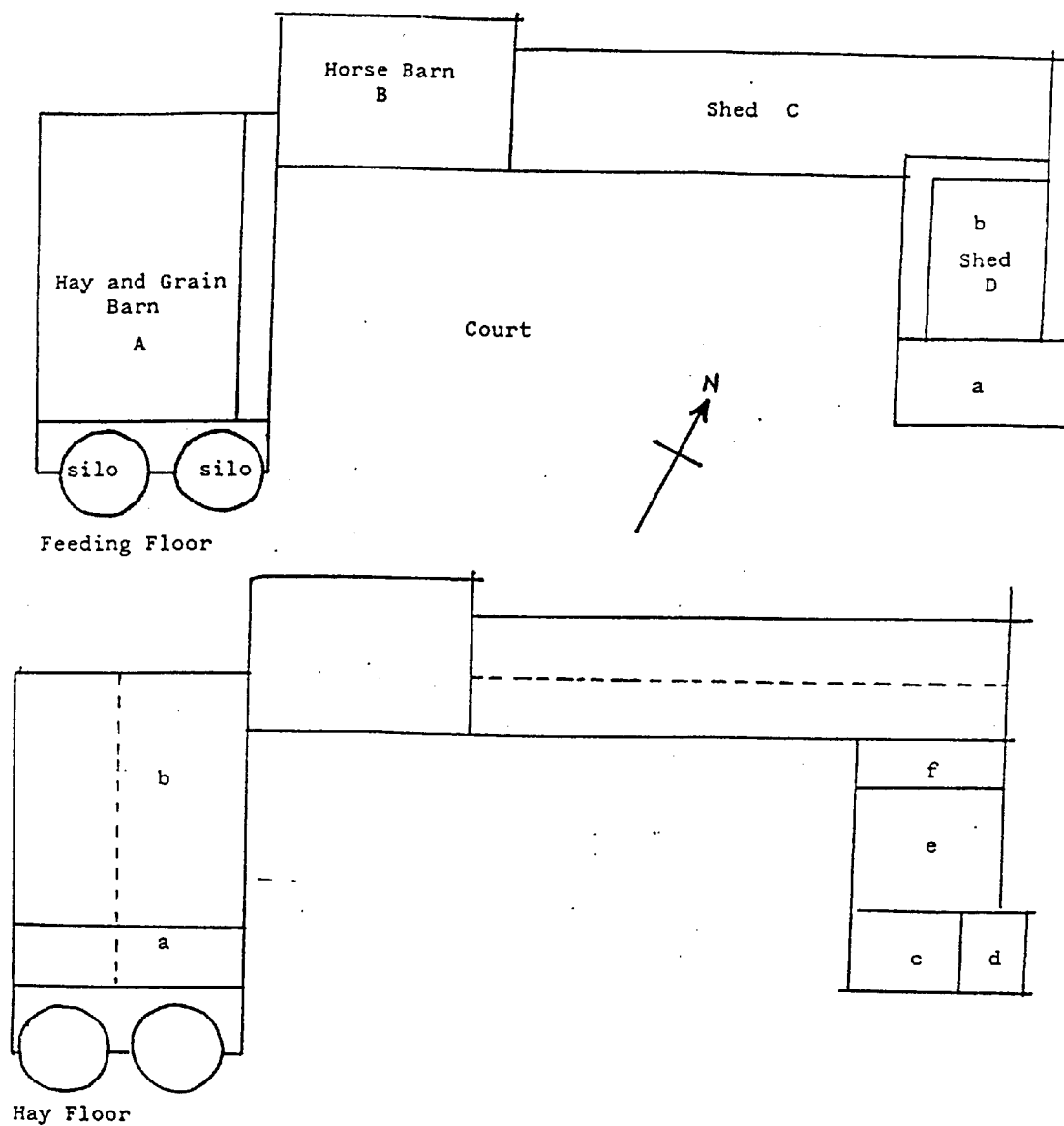
Document 1

The Booth Barn merits designation under Part IV of the Ontario Heritage Act because of its eloquent statement of state-of-the-art agricultural barn construction at a time when the land upon which it stands, now well inside urban borders, was open countryside. It is also associated with J.R. Booth, the most long-lived of the lumber barons who soared to astronomical wealth on the forest resources of the Ottawa Valley, who owned the barn and its surrounding acres from 1886 until it was expropriated by the federal government in 1929, four years after Booth's death at age 99. It is further distinguished by its association with the pioneering research of the Experimental Farm's Animal Husbandry Division.

The actual date of construction is unclear, but it was built between 1867 and 1890, while the farm land was owned by the Kennedy family. It was originally a hay and grain barn, but after Central Experimental Farm acquisition in 1929 it was converted to a cattle barn, its last use in the 1980s. It is a simple rectangular shape, 26 x 12 metres with a high gabled roof. It is square-timber framed, with painted walls of vertical battened siding.

The interior is not included in this designation.





Plan of Booth Barn Complex

Photographs of Booth Barn Complex

Document 4



1. Views of Booth Barn Complex, facing north east

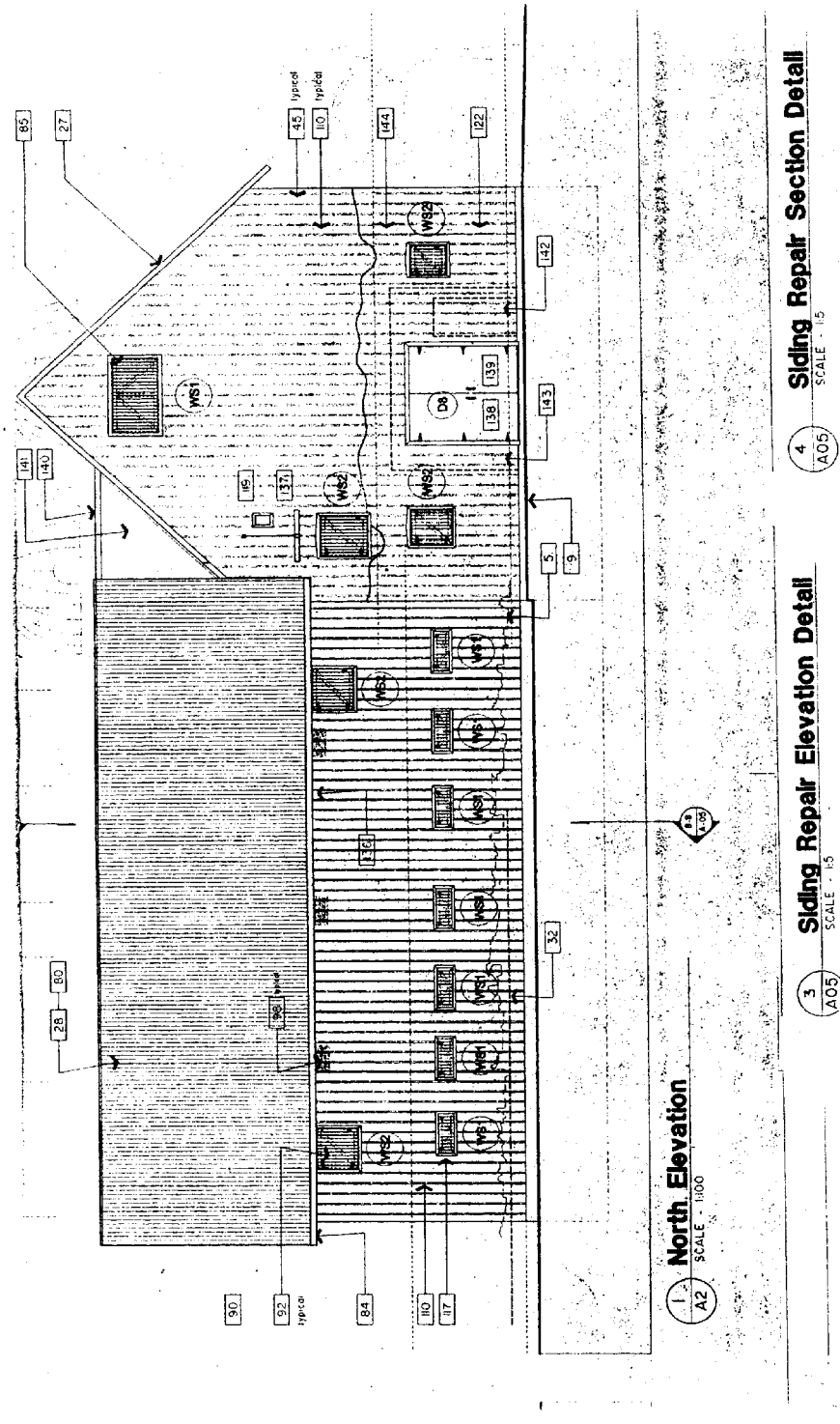


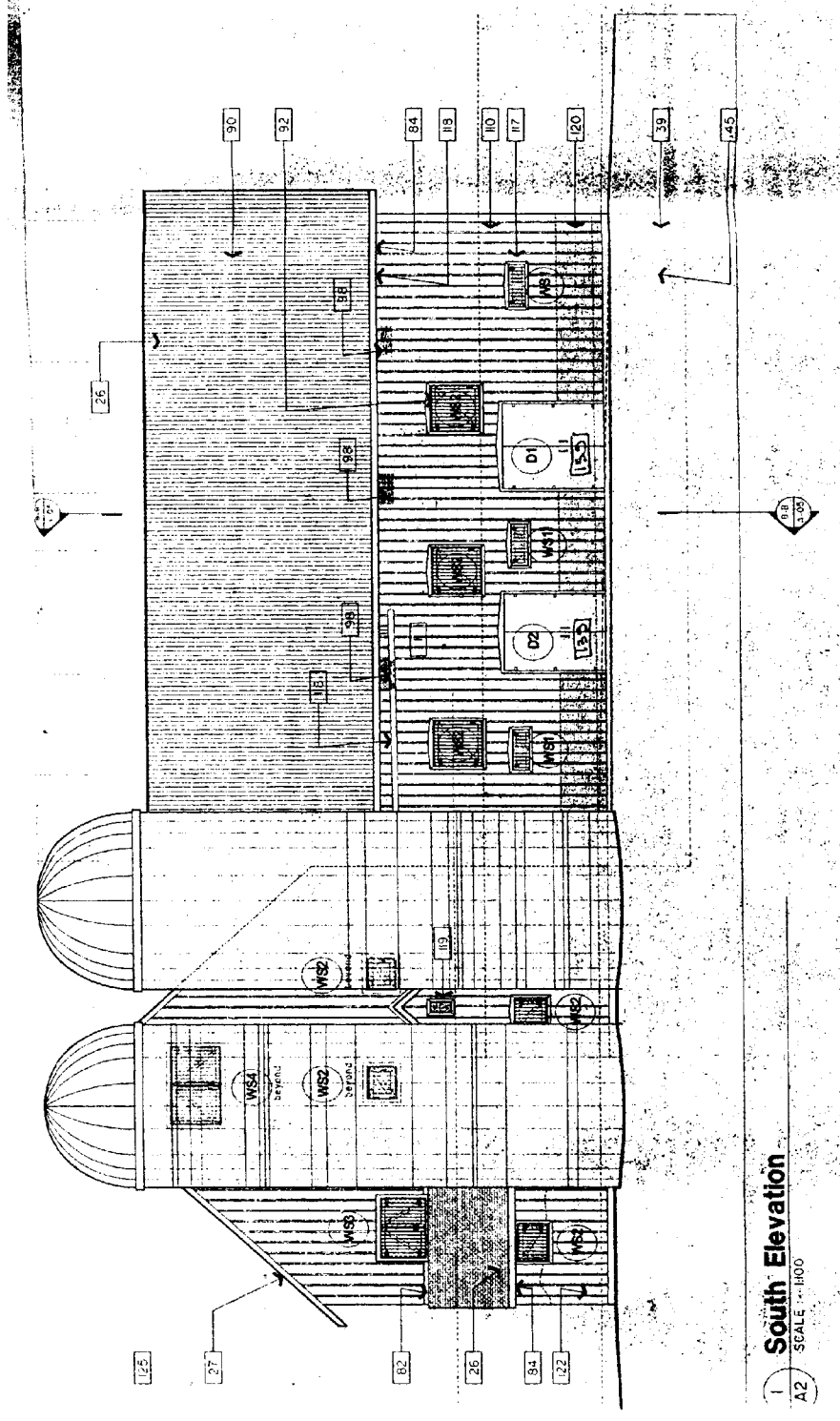


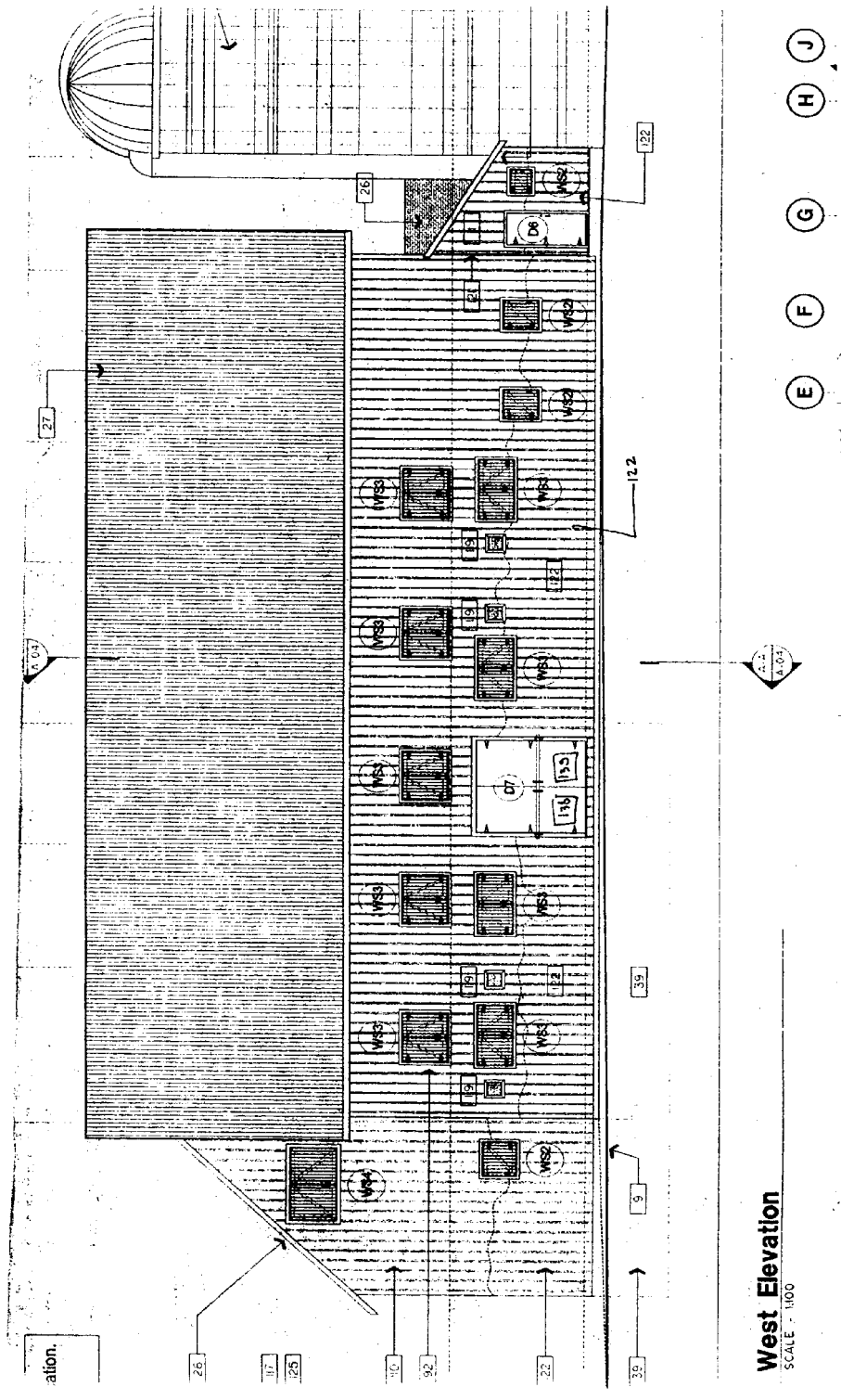
2. Views of Booth Barn Complex, facing north west

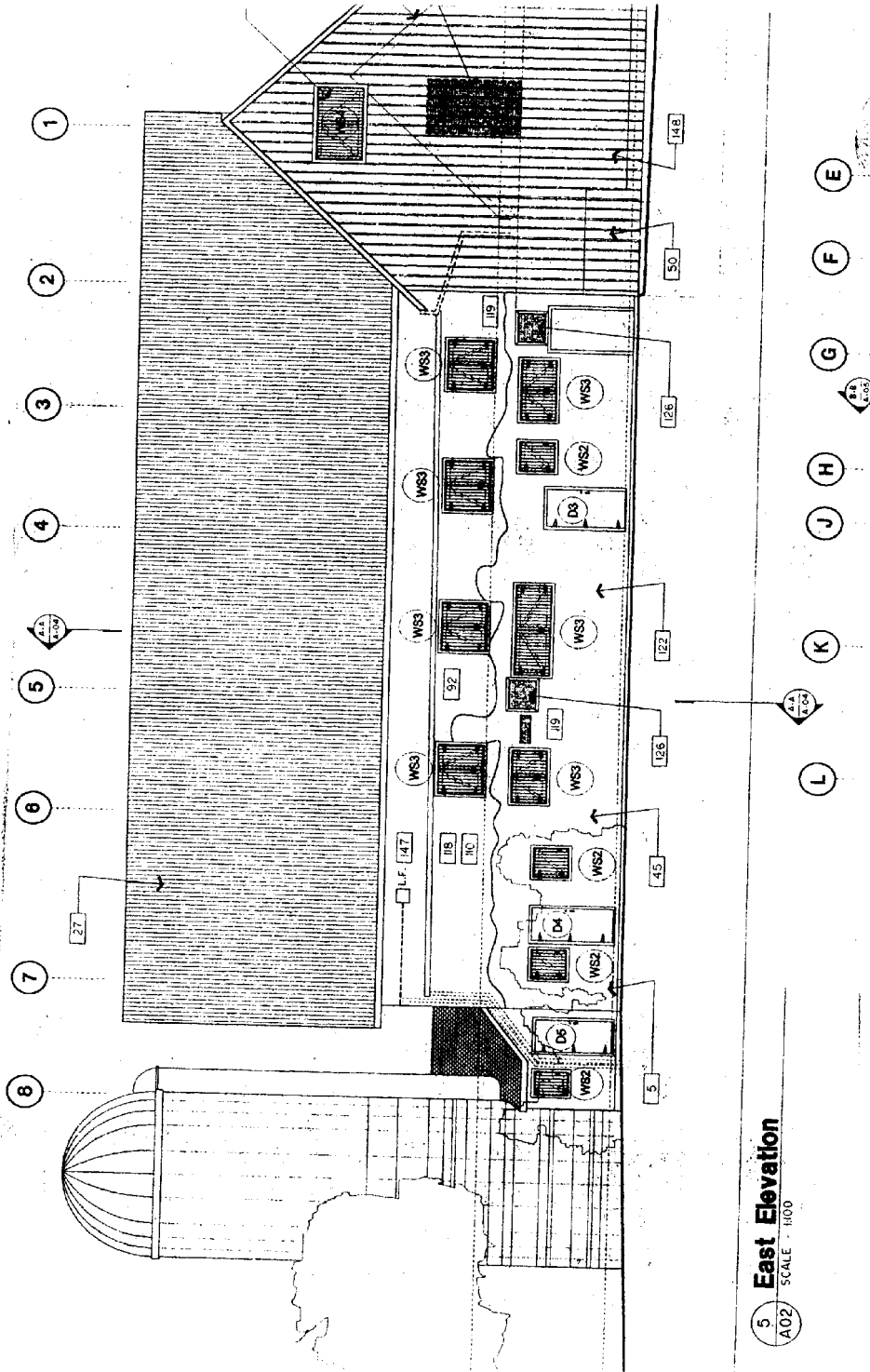
Elevations of Booth Barn Complex after removal of sheds

Document 5









November 1, 1999

ACS1999-PW-PLN-0153  
(File: OHD4300KINGEDWARD234)

Department of Urban Planning and Public  
Works

Ward/Quartier  
OT5 - Bruyère-Strathcona

- Local Architectural Conservation  
Advisory Committee / Comité consultatif  
local sur la conservation de l'architecture
- Planning and Economic Development  
Committee / Comité de l'urbanisme et de  
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

### **8. Application to demolish a building in the Lowertown West Heritage Conservation District at 234 King Edward Avenue**

**Demande en vue de la démolition d'un bâtiment dans le District de  
conservation du patrimoine de la Basse-Ville-Ouest, au 234, avenue  
King Edward**

### **Recommendation**

That approval under the Ontario Heritage Act be given to demolish the building located at 234 King Edward Avenue and that prior to the issuance of the demolition permit the following conditions be met:

- i) That a landscaping plan and accompanying itemized estimate be submitted to the satisfaction of the Commissioner of Urban Planning and Public Works;
- ii) That financial security be posted for the landscape elements.

(Note: Approval to demolish this property under the Ontario Heritage Act must not be construed to meet all of the requirements for the issuance of a Building/Demolition Permit.)



November 2, 1999 (10:43a)

Edward Robinson  
Commissioner of Urban Planning and Public  
Works



November 2, 1999 (12:36p)

Approved by  
John S. Burke  
Chief Administrative Officer

SL:sl

Contact: Stuart Lazear - 244-5300 ext. 1-3855


***Local Architectural Conservation Advisory Committee Recommendation - November 16, 1999***

► *The Committee concurs and so recommends.*

*Yeas: (6) J. Arnold, A. Horrall, T. Montpetit, R. Pajot, D. Showman and P. Stumes*  
*Nays: (2) L. Corbin and R. Rodgers*

**Financial Comment**

Subject to City Council approval, the required financial security will be retained by the City Treasurer until advised that all conditions have been met and the security is to be released.

  
November 2, 1999 (10:27a)

for Mona Monkman  
City Treasurer

BH:cds

**Executive Report**

**Reasons Behind Recommendation**

An application to demolish the building at 234 King Edward Avenue was received on October 13, 1999. The building is located at the southeast corner of the Lowertown West Heritage Conservation District which is designated under Part V of the Ontario Heritage Act through by-law 192-94. It was evaluated as being of negligible or no heritage significance in accordance with the City's "Handbook for the Evaluation of Heritage Buildings." A house was constructed on this site between 1861 and 1872. The existing rubble foundation on the section of the building closest to King Edward Avenue likely dates from this period and is all that remains of the original house. The building was extensively renovated between 1930 and 1948 to enlarge it from a one and one half storey to a two storey building. A brick facade was attached to the front at this point. The brick facade was subsequently painted and is now detaching from the building. The front porch was removed after 1958.

The Shepherds of Good Hope rented this building for office and storage use until recently when they purchased and renovated 256 King Edward Avenue. The loss of the Shepherds as tenants, anticipated costs of renovation (estimated at \$45,000 by the owner), lack of interested buyers, as well as its property taxes are among the factors which led the owner to request the demolition.

In summary, the building has been so extensively renovated that it has lost any architectural significance. In addition, the heritage streetscape along King Edward Avenue in this location has been compromised through new construction and demolition over a long period of time to the point that 234 King Edward Avenue no longer contributes to a heritage context. Future new construction at this location will be subject to review by City Council under the Ontario Heritage Act when it is proposed.

An Application to Demolish pursuant to the Demolition Control provisions of the Planning Act is being processed concurrently with this Application under the Ontario Heritage Act.

The landscaping of the vacant site is being requested as a condition of this approval as a means of enhancing the King Edward Avenue streetscape on an interim basis following the demolition of the existing building. Financial security in the form of a letter of credit or cheque is requested from the applicant to ensure compliance with this condition. This type of condition would normally form part of a Site Plan Control application. In that surface parking is not being requested at this time, Site Plan Control is not applicable. The landscaping conditions are, therefore, being requested under the authority of Section 43(3) of the Ontario Heritage Act.

There are no specific guidelines for the landscaping of vacant sites described in the “Lowertown West Heritage Conservation District Study.” The temporary landscaping which is being requested would be in the nature of grass to align with the front lawn of the Shepherd’s of Good Hope building immediately to the south and shrubs along the westerly edge of the sod. This is similar to that currently used nearby on the northeast corner of King Edward and St. Andrew, although surface parking would not be permitted in this instance.

## Consultation

Adjacent property owners and tenants, as well as local community associations were notified by letter of the date of the Local Architectural Conservation Advisory Committee (LACAC) and the Planning and Economic Development Committee meetings and were provided with comment forms to be returned to LACAC. This is in accordance with City Council’s public participation policy regarding the alteration or demolition of buildings within heritage conservation districts. (PDD/PPP/N&C#9)

The Ward Councillor is aware of this application.

## Disposition

Department of Corporate Services, Statutory Services Branch, to notify the applicant/agent, (Ronald Dagenais, Ste. 600, 325 Dalhousie Street, Ottawa, Ontario, K1N 7G2) and the Ontario Heritage Foundation (10 Adelaide Street East, 3<sup>rd</sup> Floor, Toronto, Ontario, M5C 1J3) of City Council’s consent to demolish 234 King Edward Avenue.

## List of Supporting Documentation

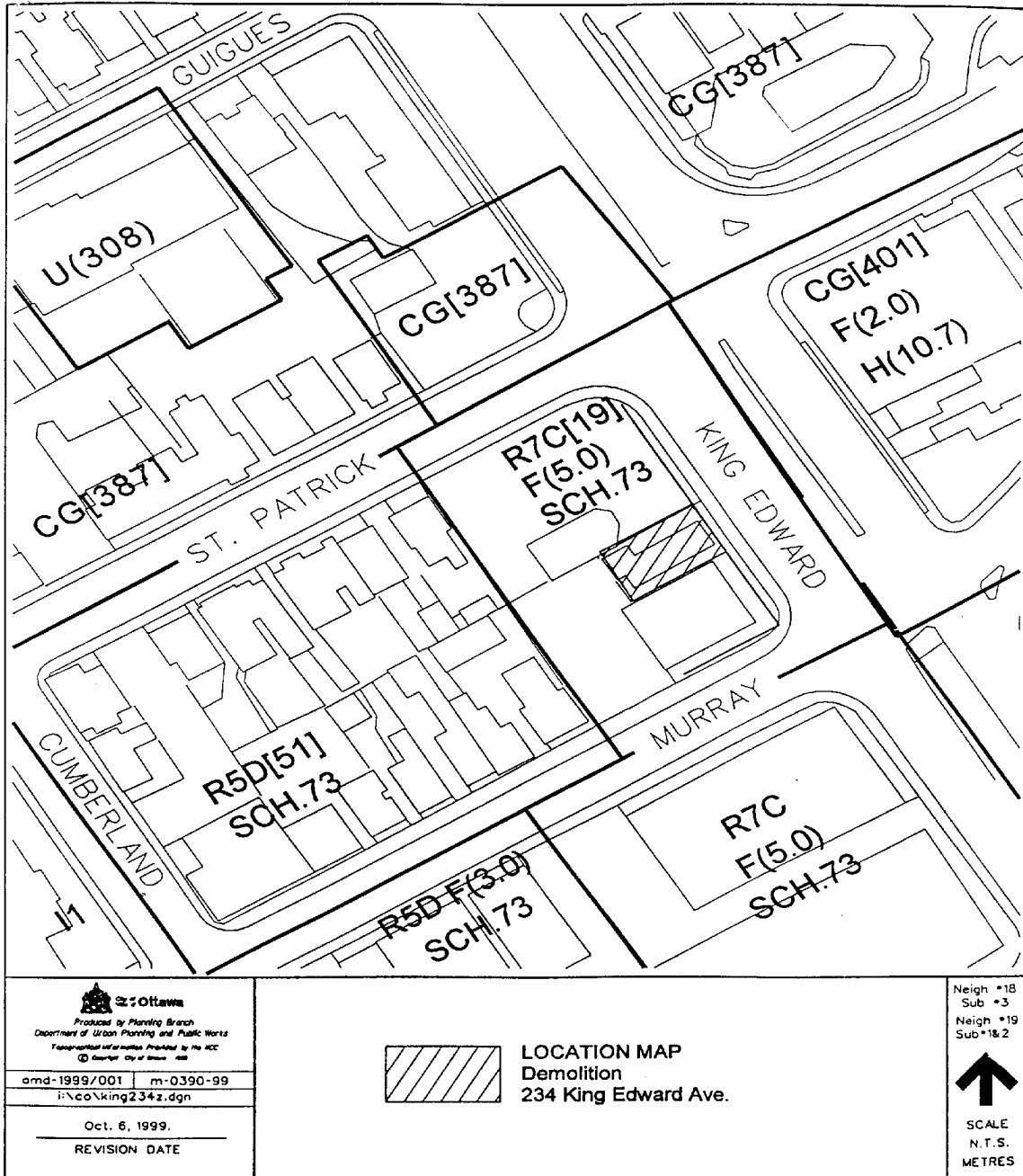
Document 1    Location Map



Part II - Supporting Documentation

Location Map

Document 1



November 5, 1999

ACS1999-PW-COM-0007  
(File: EW-657-9-1)

Department of Urban Planning and Public Works

Ward/Quartier  
OT6 - Somerset

- Planning and Economic Development Committee / Comité de l'urbanisme et de l'expansion économique
- City Council / Conseil municipal

Action/Exécution

**9. Sparks Street Mall - Block V (between Kent and Lyon Streets)  
Mail de la rue Sparks - Bloc V (entre les rues Kent et Lyon)**

**Recommendations**

1. That the concept plan for the renewal of Block V of the Sparks Street Mall as illustrated in Document 1 be **Approved** and that the implementation of the concept plan be phased-in subject to the availability of funding.
2. That, for Block V only, the Commissioner of Urban Planning and Public Works be **Authorized** to enter into a joint agreement with the Sparks Street Mall Board of Management in accordance with the terms and conditions set out in Document 2, and including the incorporation of a maintenance manual into the joint agreement.
3. That further to Recommendation 2, the joint agreement, which incorporates the maintenance manual, be executed prior to the commencement of the works.



November 10, 1999 (7:22a)

Edward Robinson  
Commissioner of Urban Planning and Public Works



November 12, 1999 (3:39p)

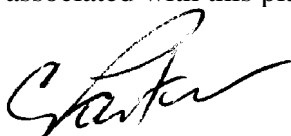
Approved by  
John S. Burke  
Chief Administrative Officer

AG:

Contact: Arlene Gregoire - 244-5300 ext. 1-3799

## Financial Comment

Subject to City Council approval of the concept plan contained in this report, funding for the co-ordinated rehabilitation of the surface and lighting has been identified in the 1999 and 2000 Capital lifecycle program. Additional funding for the cost of specialized decorative elements, beyond what it would cost the City for normal infrastructure works, will be the responsibility of the Proponents. Additional capital program funding and maintenance costs associated with this plan will be identified in future reports as appropriate.



November 9, 1999 (3:06p)

for Mona Monkman  
City Treasurer

CP:ari

## Executive Report

### Reasons Behind Recommendations

#### Recommendations 1

In 1968, Sparks Street between Kent and Lyon Streets was closed, i) to convert the block into a pedestrian mall, ii) to permit the developer of Place de Ville, the Campeau Corporation, to encroach into the road allowance for the construction of Phase II of Place de Ville, and iii) to permit the developer to construct an access tunnel to its underground parking garage and loading bays beneath the closed road allowance.

On September 16, 1969, City Council approved a report which set out the cost sharing arrangement for the construction of Block V of the Sparks Street Mall: the City would cover the cost of regular infrastructure, and for those costs over and above regular infrastructure, these would be apportioned as follows: 2/3 to the abutting property owners (Campeau Corporation and the Government of Canada), and 1/3 to the City. Early in 1970, Sparks Street between Kent and Lyon Streets was dedicated, by By-law No. 321-70, as a pedestrian mall. Construction of Block V commenced in 1971 and was completed in the early spring of 1972.

Although the streetscaping of Blocks I to III (Elgin to Bank Streets) of the Sparks Street Mall has been renewed since the initial installation in the 1960's, and although Block IV (Bank to Kent Streets) was "renewed" in 1993, the lifecycle of the streetscaping of Block V has long since expired and the streetscaping is in a very poor state.

The condition of the streetscaping was due to the following factors:

- from the mid 1980's when plans for renewing the streetscaping of the Mall were being drafted, at least one of the three partners (Campeau Corporation, Government of Canada or the City) was not able to fund a proportionate share of the rehabilitation costs;
- the decision was made to proceed to renew commencing with the Elgin Street end of the Mall rather than with Block V;
- in 1993, following the renewal of Block IV, the lack of certainty vis a vis the ownership of Place de Ville and the interest by the new owners to invest in the Mall resulted in the decision to delay the renewal of Block V. Consequently, the capital funding which had been set aside by the City was released to cover other requirements within the City;
- meanwhile, minimal dollars were being expended on the rehabilitation of individual elements of the Block as the perception was that it would soon undergo major rehabilitation.

In 1997, the Government of Canada communicated its desire to expedite the renewal of Block V and discussions were revived. Again, the City and the abutting property owners were not in a position to fund the renewal, although the Government of Canada was in a position to do so. Since then, none of the parties have been able to finance significant refurbishment, the Federal Government having redirected the funding to rehabilitate the Parliamentary Precinct, the City with its “no debt” strategy, the Radisson Hotel newly acquired by 1210478 Ontario Inc., and O&Y Properties Inc. as the new owners of Place de Ville, both with limited funding available.

In the interim, the Board of Management of the Sparks Street Mall (the Board) and O&Y Properties Inc. have explored, on behalf of the abutting property owners and the Board members (all together referred hereinafter as the “Proponents”), various strategies for renewing the Block and have developed preliminary concept plans. A preferred concept plan has been chosen and the Proponents are seeking approval of the proposed plan from the City.

The Proponents wish to proceed to phase-in the refurbishment of the streetscaping elements based on the preferred concept plan. The concept plan will enable the parties to determine the required funding and will assist in developing a plan of action, interim and long term. Evaluation of the concept plan by staff was undertaken and a summary of the evaluation, including preliminary technical conditions, has been included in Document 3 - Part II.

City of Ottawa commitment:

Sparks Street Mall remains a city-owned road allowance and as such the City is responsible for providing basic infrastructure. That is, the City is responsible for providing a uniform surface for pedestrians and if lighting is installed, then the City must ensure that the level of lighting meets the standard for a pedestrian mall/public space.

Accordingly, funding in the amount of \$300,000.00 has been provided in the 1999 life cycle program for the rehabilitation of the surface and lighting. This amount represents only part of the required funding to renew the surface, the lighting system, including the underground wiring system. Therefore, the amount of \$200,000 has been included in the 2000 life cycle program so that all the life cycle works can be installed in a coordinated fashion with the abutting property owners' works.

By allocating this funding, the City will be able to cover its share of costs to renew the surface and the lighting system in the year 2000, subject to the Proponents assigning funding to cover their share of the costs associated with these streetscaping elements.

The City's financial commitment does not reflect the cost sharing arrangement of previous years and previous streetscaping installations, where the City would cover the cost of regular infrastructure and a portion (usually 1/3) of those costs over and above regular infrastructure. Given the City's "no debt" strategy, additional funding to cover a portion of the cost of decorative elements is not possible.

### Recommendations 2 and 3

A joint agreement and a maintenance manual establishing respective responsibilities based on the City being responsible for those streetscaping elements it would normally be responsible for and for associated costs, with additional responsibilities and incremental costs assigned to the party seeking the specialized elements (in this case, the Board assumes these), must be prepared.

Presently, the split in responsibilities between the City and the Board is based on a listing attached to a report approved by City Council on June 20, 1984 (City Council Minutes, December 1983- November 1984, Volume 4, page 16-194). This listing is no longer accurate or relevant for the new streetscaping, nor is it consistent with the direction the City has been taking vis a vis cost sharing arrangements for specialized elements installed within the right-of-way at the request of a party other than the City or the Region. The terms and conditions to be incorporated into the joint agreement have been set out in Document 2.

Completion of the joint agreement is required prior to the commencement of the installations. Completion of the maintenance manual is only required once the installations are completed. Hence, the maintenance manual will be drafted such that it will be readily finalized upon completion of the works.

### Economic Impact Statement

In the short term, the implementation of the concept plan will generate employment throughout the economy and particularly in the construction industry. In the longer term, well maintained infrastructure will benefit tourism and contribute to the health of businesses that depend on it. Further, an important factor in the quality of life for a city is a safe environment which, renewal of the Mall area will bring about.

## Consultation

The Ward Councillor supports this proposal and the strategy for implementation.

Letters from the “Proponents” indicating their respective support have been included in Document 4 - Part II .

## Disposition

The Department Urban Planning and Public Works - implementation of phases as funding is available; -negotiation of the joint agreement and preparation of the maintenance manual to be incorporated into the joint agreement.

City Solicitor - preparation of the joint agreement for execution by the City and the Board.

## List of Supporting Documentation

Document 1	Concept Plan
Document 2	Terms and Conditions
Document 3	Evaluation of Concept Plan
Document 4	Consultation Details

## Part II - Supporting Documentation

### Concept Plan

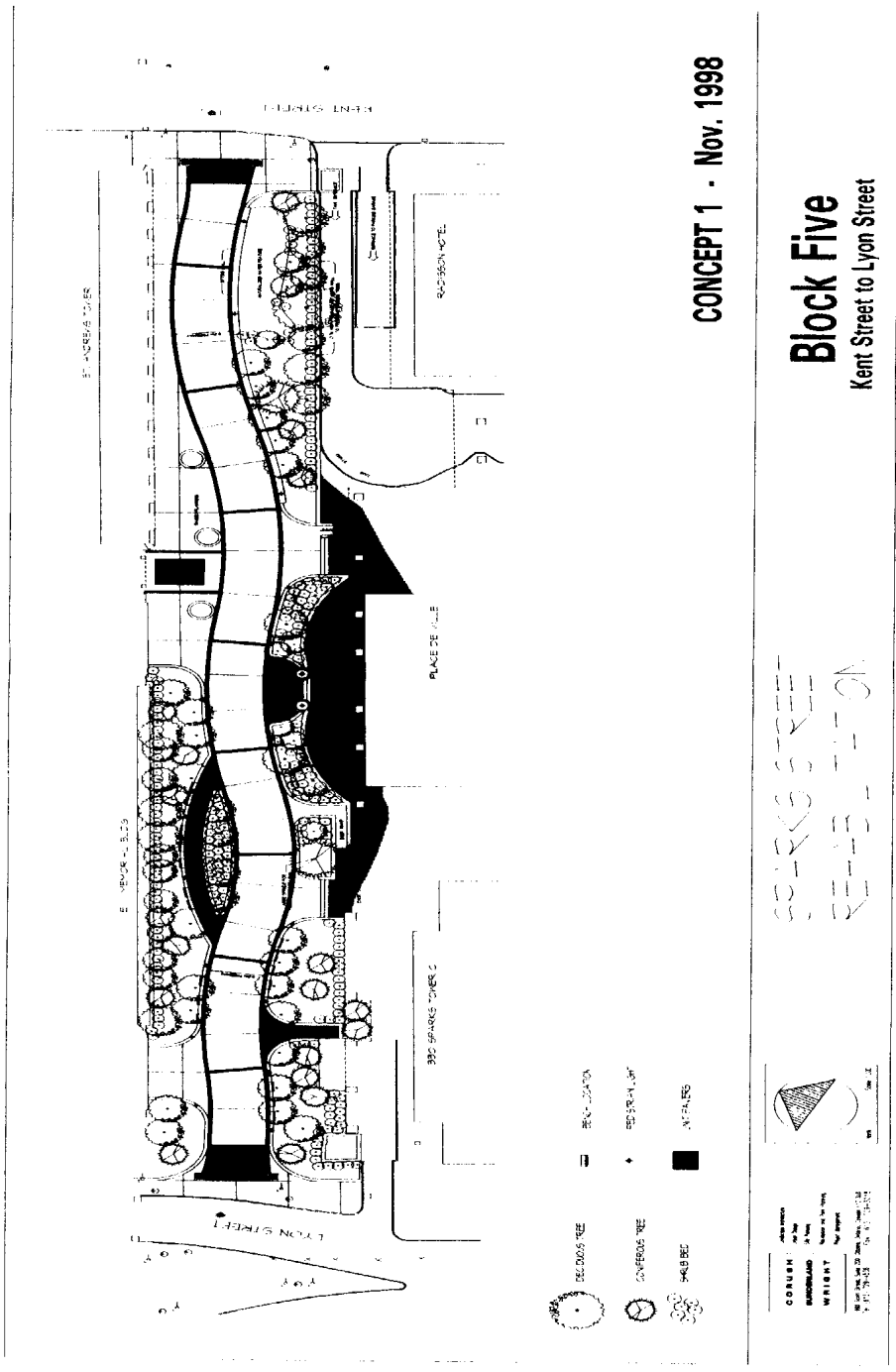
Document 1

#### **Sparks Street Mall - Block V Concept Plan**

##### KEY FEATURES:

The Concept Plan includes the following key features:

- create a pedestrian friendly environment by introducing an urban park-like setting
- the pedestrian friendly environment of this block will enhance the pedestrian linkage the Mall provides, connecting the City's east and west sectors of the core area
- an urban park setting is considered appropriate since the predominant use of the buildings fronting this block of the Mall is not retail, but rather institutional, office and hotel
- vehicular traffic will be discouraged completely by requiring all deliveries to be made via Queen Street accesses, underground areas, Kent and Lyon Street accesses
- the alignment of the "pathway"( it is meandering) and the different surface materials used to define this "pathway", reinforces the "urban park" setting of the block
- the streetscape will reflect the elements installed in the other blocks of the Sparks Street Mall, thereby complementing the previous work in Blocks I to III
- pedestrian-scale lighting, new trees and shrubs, and grassed areas will add ambience. Ground level lighting for the grassed areas is also being considered to discourage inappropriate use of the grassed areas
- the existing rectangular shaped fountain will be converted into a pond, featuring capstone edge for seating, a pea stone bottom with the eventual introduction of aquatic plants to complete the presentation of an urban park-like pond





1. The City will assume the responsibility, including costs, for regular maintenance, that is, what the City would be responsible for had the improvements not been installed, such as:
  - ▶ snow and ice control and sweeping the sidewalk surfaces spring, summer and fall seasons
  - ▶ litter control
  - ▶ once annual spring scrub and suds of the sidewalk surfaces
  - ▶ carrying out surface repairs as required
  - ▶ regular garbage pick-up from all waste receptacles
  - ▶ maintaining, repairing or replacing standard waste receptacles (City inventory)
  - ▶ cleaning and maintenance of the catch basins
  - ▶ installing, maintaining, repairing or replacing regulatory signage.

In addition, the City will be responsible for costs associated with the regular maintenance and operation, and energy consumption typical of a regular pedestrian lighting system.

2. The Board will assume the responsibility, including the costs, for the streetscaping elements which are of specialized nature and which will not be maintained by the City, such as:
  - ▶ maintaining, repairing or replacing the specialized surfaces
  - ▶ maintaining, repairing or replacing the specialized street furniture
  - ▶ maintaining and operating, repairing or replacing the specialized decorative pedestrian lights
  - ▶ maintaining, repairing or replacing the wiring system of the specialized decorative pedestrian lights, including the GFI receptacles for festive lighting and all energy cost associated with the use of these GFI receptacles,
  - ▶ festive lighting fixtures and associated energy costs
  - ▶ maintaining, repairing and operating, including associated energy costs of the water feature and water pump(s)

- ▶ maintaining, repairing or replacing the concrete planters
- ▶ all landscaping including fertilization and pest control of the trees and shrubs, planting and weeding of annuals and water
- ▶ banners and hanging planters
- ▶ maintaining, repairing or replacing bollards or other traffic control barriers

Note that maintenance includes inspecting the specialized streetscaping elements on an on going basis.

3. The Board will arrange for the undertaking, by a qualified electrician, of an inspection of the electrical system components associated with the specialized pedestrian lights and the GFI receptacles, once annually, and to provide to the Commissioner of the Department of Urban Planning and Public Works within thirty (30) days subsequent to the completion of such inspection, the resultant report on the condition of the system.
4. The Board will employ qualified contractors, as approved by the Commissioner of Urban Planning and Public Works, to carry out its maintenance, repair or replacement responsibilities.
5. The Board will agree to be responsible for damages to the specialized streetscaping elements howsoever caused, excepting where there is negligence on the part of the City in the performance of its responsibilities.
6. The Board shall indemnify and save harmless the Corporation from and against all claims, losses, costs, damages, suits, proceedings or actions by whosoever made that the City may suffer, incur, or be liable for, resulting from the performance of the Board of its obligations, save and except damages, claims, causes or actions arising out of or as a result of the negligent actions of the City, its agents, or employees.
7. The Board shall provide and maintain without cost to the City insurance coverage to the satisfaction of the City's Insurance Administrator.
8. Should a portion of the right-of-way, upon which the decorative elements are located, be required by the City for municipal purposes, the City may give written notice to the Board to that effect and remove at the City's expense the decorative elements without compensation, except the Board will be entitled to retain ownership to the decorative elements they installed and paid for.

9. The City may give notice in writing to the Board specifying the nature and extent of a default and requiring rectification of same within the periods of time as specified by the City. Where the Board has failed to perform its responsibilities pursuant to the joint agreement, the City may deliver to the Board a written notice to that effect and may take remedial action (ie., repair, remove...) and the Board will indemnify the City and will pay the costs in connection with the remedial action.
  
10. The joint agreement and the maintenance manual will provide for amendments, from time to time, upon mutual agreement, to reflect the installation of those streetscaping elements which are of specialized nature to be phased-in at a later date.
  
11. The joint agreement is not assignable unless written consent has been obtained from the City.

The design is pedestrian friendly because of the alignment of the “pathway” and the curving planting beds. Because the “pathway” meanders, vehicles are discouraged from entering the block as there is no clear sightline through the block and as a result drivers are unable to see if there is a way out. To further discourage traffic, the “pathway” should not look like a route for vehicles and therefore, it is recommended that the “soldier course” pattern of brick not be installed. Scattered patterns of brick within the “pathway” may be more effective in presenting the “pathway” as one for pedestrians only.

Illegal use by vehicles can be further discouraged by installing bollards, subject to ensuring unimpeded access by emergency vehicles. Alternatively, the height of the curbs could be increased. Gates are not recommended as these require monitoring.

Bicycle parking should be provided.

The design should tie in with the other Blocks, keeping in mind that Block IV is a transition area between the more elaborate streetscaping within the first three easternmost blocks of the Mall and the western portion of Sparks Street. Therefore, such elements as the decorative pedestrian lights, the surface treatment, street furniture, etc. should match those in Block IV at the very least. Also, the same style of street furniture utilized in Blocks I to III should be chosen to provide continuity to the design.

Converting the existing water feature into a pond while providing an attractive element to the “urban park” will be difficult to maintain clear of debris, etc. Removal of the kiosks will disable the pumping system for the existing water feature.

The use of integrated colored concrete with patterning rather than pavers is recommended, to reduce maintenance costs and liability risks. The concrete surface must be reinforced where delivery vehicles will access the Mall. If pavers are installed then these should be thicker.

Removal of the existing kiosks will disable the electrical system energizing the remaining pedestrian lights. An electrical and a lighting design will be required to determine the appropriate locations, number of poles, lighting levels, etc. The lighting design should ensure that both the “pathway” and the remaining areas of the Mall are lit appropriately. The grassed areas will require additional lighting to discourage “camping out”.

The City will be responsible for only a portion of the maintenance, repair and energy costs consistent with the installation and operation of a “regular” lighting system. The wiring system for basic lighting must be separate from the lighting installed for program related activities (patios, vending operations, decorative and festive lighting). Thus there will be a need for two separately metered kiosks in Block V.

Underground drainage systems will be required for the proposed planters. If pavers are installed, the installation of these must meet municipal standards.

The City will not be responsible for the maintenance, repair, replacement and operation of all non-standard features, including the pond and the grassed areas.

Tree species must be approved by the City.

Review of the detailed plans will permit proper estimation of the impact, if any, on those maintenance operations and costs which are the responsibility of the City.

Municipal consent will be required as the Mall is a City-owned right-of-way. Therefore, the developers will be required to submit the final design/plans for circulation to the utilities and agencies prior to commencing any work. Technical input from this Branch will also be required.

Twenty feet is required to provide clearance for emergency vehicles if bollards are installed. Alternatively, breakaway gates can be installed where access to vehicles is desired.

Consultation Details

Document 4

Letter from Sparks Street Mall Board of Management



October 1, 1999

Arlene Gregoire  
City of Ottawa  
Planning Department  
111 Sussex Drive  
Ottawa, Ontario  
K1N 5A1

RE: Sparks Street Mall Vision

Dear Ms Gregoire,

The Sparks Street Mall Authority is in full agreement with PWGSC, O & Y Properties and the Radisson Hotel, for the vision of Sparks Street's Block 5 corridor (between Kent & Lyon).

Please do not hesitate to contact me should you request anything further.

Sincerely,

Stanley Ages  
Chairman  
SSMMB

Letter from O&Y Properties Inc.



November 1, 1999

Ms. Arlene Gregoire  
City of Ottawa  
Department of Urban Planning and Public Works  
111 Sussex Drive  
Ottawa, Ontario K1N 5A1

Re: Sparks Street Block V Vision

Dear Ms. Gregoire:

We have had an opportunity to review the options for the redevelopment of Block 5 of the Sparks Street Mall and wish to confirm that we are in agreement with the design concept plan #1, as prepared by Corsh Sunderland Wright and dated November 1, 1998.

We look forward to meeting with the other property owners and City staff to finalize the funding options and scheduling.

Yours very truly  
O&Y Properties Inc. by its manager  
O&Y Enterprise Commercial Management

Fred Speer  
Senior Vice President  
National Capital Region

FS/cp

cc: Jan Sucharda (with plan)  
Guy Latrémouille  
David Cordick

A DIVISION OF O&Y PROPERTIES INC.

PLACE DE VILLE, TOWER "B", 112 KENT STREET, SUITE 450, OTTAWA, ONTARIO, CANADA K1P 5P2  
MAILING ADDRESS: P.O. BOX 88008, PLACE DE VILLE, OTTAWA, ONTARIO, CANADA K1R 1A7

TEL: (613) 583-8684 FAX: (613) 583-8684

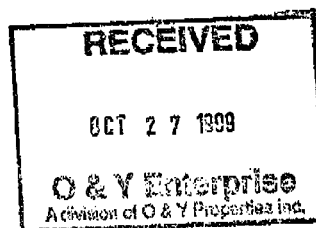
## Letter from Public Works and Government Services of Canada



Travaux publics et  
Services gouvernementaux  
Canada

Public Works and  
Government Services  
Canada

October 14, 1999



Voire référence Your file

Notre référence Our file

Mr. David Cordick  
Property Manager  
O & Y Enterprise  
112 Kent Street, Suite 480  
Ottawa, Ontario  
K1P 5P2

Dear Mr. Cordick;

This is to advise you that PWGSC is in full agreement for the vision of Sparks Street's Block 5 corridor (between Kent & Lyon).

Please do not hesitate to contact me should you request anything further.

Sincerely,

A/for Serge Prud'homme  
A/National Client Services Unit Director  
Real Property Services Branch

Canada



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November 17, 1999

CC2Z1999313  
(File: ACC3320/99)

Ward/Quartier  
City Wide

## **10. Rental Housing Protection - Official Plan Amendment 2**

### **Protection des logements loués - Modification du Plan Directeur #2**

Whereas the City of Toronto had passed Official Plan Amendment 2 to update its policies relating to the preservation of rental housing stock;

And whereas OPA 2 was appealed to the Ontario Municipal Board (OMB);

And whereas the OMB ruled that OPA 2 was invalid and illegal as it was beyond the ambit of the Planning Act and in conflict with the Tenant Protection Act;

And whereas the City of Toronto has filed a motion to the Divisional Court for leave to appeal the OMB decision;

And whereas the Region and the City of Ottawa have Official Plan policies relating to rental housing conversion that are similar to OPA 2 and that may be subject to challenge as a result of this OMB decision;

And whereas the Region has decided to join in the appeal by the City of Toronto;

And whereas it is desirable for the City of Ottawa to support the City of Toronto appeal without duplicating the expenditure of resources;

Now therefore be it resolved that the City of Ottawa request and authorize the Region to act on behalf of the City of Ottawa in support of the City of Toronto's motion for leave to appeal and, if granted, the appeal itself.