

November 10, 2023
Our File No.: 26299-005

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Ms. Colette Gorni, RPP, MCIP
Planner II
Development Review West
City of Ottawa, Planning Real Estate and Economic Development
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**Re: Arcadia Stage 5 Zoning By-law Amendment & Draft Plan of Subdivision Application
Planning Rationale Addendum #1
Application: D02-02-21-0157 and D07-16-21-0042**

Dear Ms. Gorni,

J.L. Richards & Associates Limited (JLR) was retained by Minto Communities Inc., “the client”, to provide our Professional Planning Opinion on the applications to permit the residential development of Stage 5 lands of the Arcadia Subdivision, located at the north-east corner of the intersection of Campeau Drive and Winterset Road, in Kanata West.

The following is an addendum to the Planning Rationale dated December 17th, 2021, in support of the applications for a Zoning By-law Amendment (ZBA) and Draft Plan of Subdivision (DPS).

This Planning Rationale Addendum is being submitted as part of the 2nd second submission package for the ZBA and DPS applications for Arcadia Stage 5, municipally known as 8370 Campeau Drive. This Addendum is to provide City Staff further details on the proposed changes to the applications since the first submission in December 2021. A full inventory of the revisions made to the proposal in response to City’s technical circulation comments is being simultaneously submitted under separate cover within the comment response matrix.

The major changes that affect the planning policy and approval include changes to the following:

- Layout of the Concept Plan/Draft Plan,
- Confirmation of the approach to parkland dedication, and
- Zoning by-law amendment to reflect the layout changes.

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1.0 SUMMARY OF APPLICATION

The proposed plan of subdivision proposes a mix of medium and low-density housing to complete the development of the Arcadia neighbourhood. The Draft Plan of Subdivision application proposes 62 lots for single detached dwellings, and 26 Blocks for a mix of 86 executive townhouses and 74 avenue towns, for a combined total of 222 dwelling units. Within the 62 lots for single detached dwellings, 14 new 28' wide singles have been proposed as part of the second submission. Figure 1 below shows the updated concept plan for the 2nd submission.

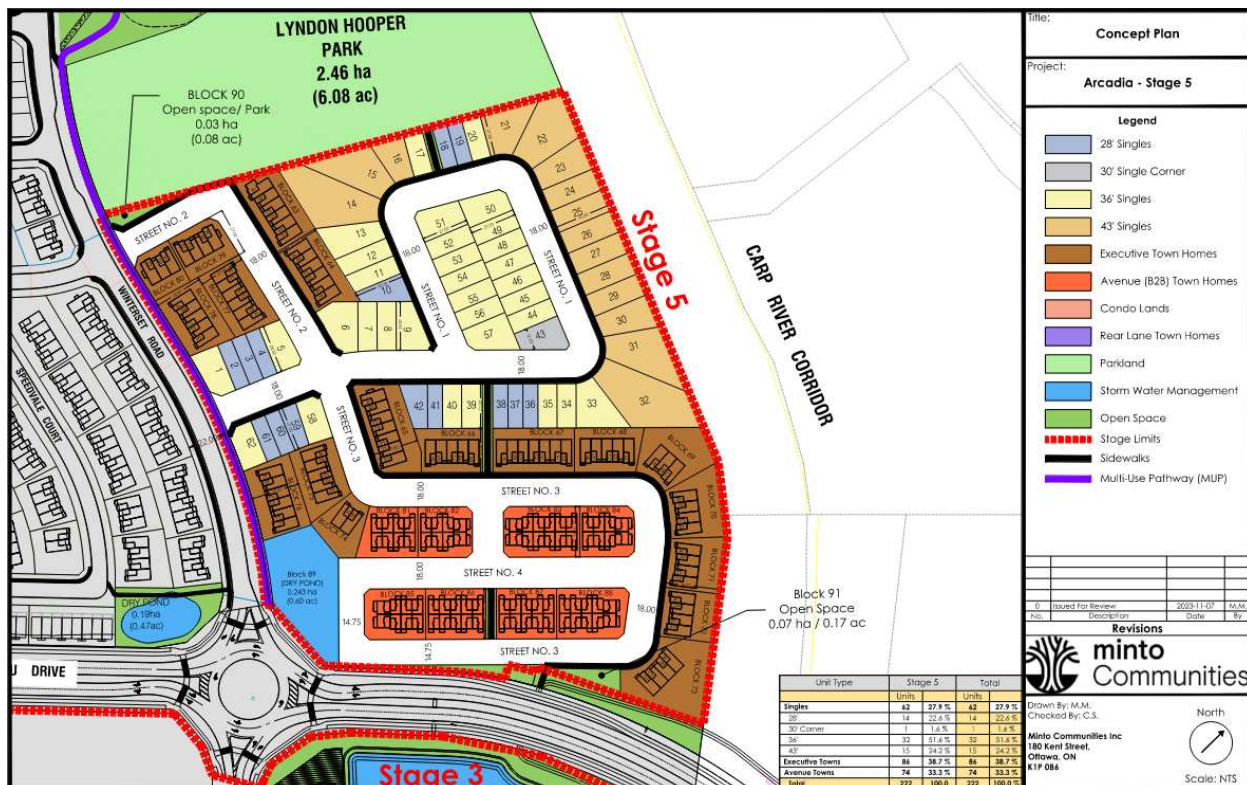


Figure 1: Arcadia Stage 5 – Revised Concept Plan November 2023

The Zoning By-Law Amendment seeks to change the zoning of the subject property from Development Reserve (DR), and Development Reserve Urban Exception 1932 (DR [1932]) to Residential Third Density, Subzone “Z”, Urban Exception XXXX (RZ3 [XXXX]) to permit residential development in accordance with the Draft Plan of Subdivision.

The initial submission of the ZBA was to rezone the property to Residential Third Density, Subzone “YY”, Urban Exception 2567 (R3YY [2567]). Stages 1-4 of the Arcadia Subdivision used the R3YY subzone as the base zoning for the lots and blocks. The first submission for Stage 5 had proposed to rezone the subject lands to R3YY, to be consistent with the existing zoning found in Stages 1-4.

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Based on the first-round comments and changes to the concept plan, an R3Z zone is being recommended as it better reflects new requested setbacks and dwelling types proposed with this phase of development including the 28' wide single detached dwellings and new back-to-back Townhouses, both of which were not a dwelling type in Stages 1-4.

The first submission of the application was submitted in December 2021, before the Minister's approval of the Official Plan (OP). The OP was approved by the Minister in November 2022 and is now in full force and affect. While the application was submitted prior to the approval of the Official Plan 2022, the application must now conform to the City's Official Plan from 2021 as approved by the Minister. In any case, we have reviewed both Official Plans and concluded that there are no policies of the new Official Plan that would alter the intended development of the subject lands as residential.

Additionally, our review of the recent Minister's announcement to review the Ministerial changes to the 2021 City of Ottawa Official Plan did not identify any implications for these lands.

The proposed development continues to follow the designation's of both the Old and New Official Plans. The proposal supports intensification that is appropriate for both a suburban area and an evolving community as described in the OP's within proximity to planned transit. The site layout reflects the City's 15-minute neighbourhood objectives, by promoting walkability and safe and convenient access to existing and planned cycling, park, and transit facilities.

Also, the proposed development ensures the protection of environmental lands and provides for a range of residential development that is consistent with the previous five (5) stages of the Arcadia subdivision, thereby adding needed units to the City's housing stock. It is our professional opinion that the changes to the ZBA and DPS submission continue to represent good land use planning, as it is transit-supportive, is consistent with the Provincial Policy Statement (PPS) 2020 and conforms to both Official Plans.

JLR previously prepared a Planning Rationale, dated December 17th, 2021, to support a Zoning By-law Amendment application for the lands known as 8370 Campeau Drive in the City of Ottawa (the "subject site"). This Addendum has been provided for City Staff in order to address the changes since the first submission and should be read in conjunction with the original December 2021 Planning Rationale. All opinions and findings of the original report remain valid, except as otherwise described below.

2.0 REVISED DRAFT PLAN LAYOUT

During the process of the first submission and receiving the first-round comments, City Staff were generally supportive of the proposed layout of the concept plan. The revised concept plan contains a similar layout, with mix of low and medium density housing. Figure 2 below shows the concept plan that was submitted with the first submission of the proposed development.

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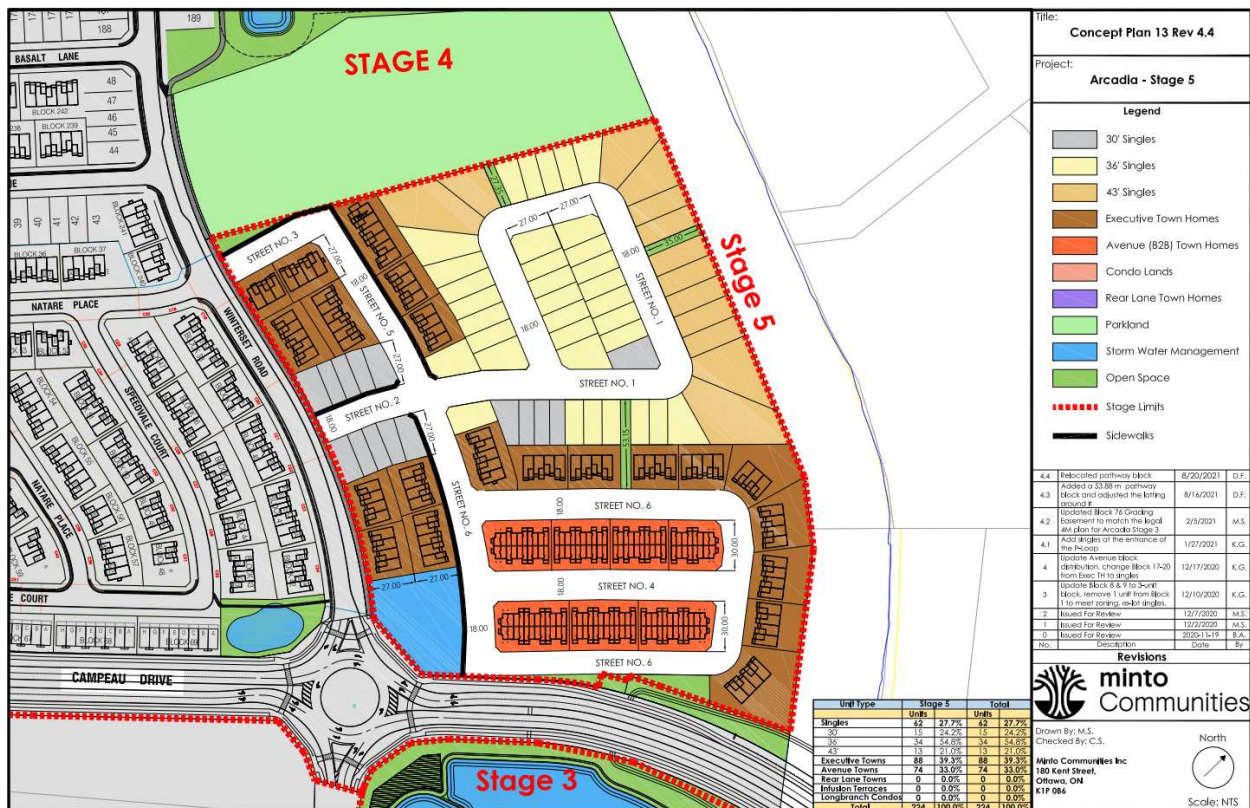


Figure 2: Arcadia Stage 5 –Initial Concept Plan December 2021

The updated concept plan generally follows the same layout as was first submitted. The northern half of the concept plan is nearly identical, with new sidewalks proposed and revised locations of pathway blocks between the proposed subdivision and Lyndon Hooper Park/the Carp River. The pathway block to the Carp River was removed based on the grade changes between Street 1 and the existing pathway along Carp River, it would not be feasible to construct this and meet all the AODA requirements. Further to that, the subdivision provides links to Lyndon Hooper Park and Campeau Drive, both of which currently provide connections to the pathway along the river. In our opinion, an additional pathway block within the subdivision is not necessary.

Removal of this pathway block provides for a better layout of the lots located along Street 1 in accommodating the 28' wide singles and reoriented townhouse blocks along Street 2.

The southern portion of the concept plan has undergone changes in adjusting the street layout to provide better connectivity within the subdivision. This new layout provides better connectivity for all users with a roadway proposed between Street 3 and 4 and pathway block between Block 86 and 87. Future residents will be able walk directly from Campeau Drive through the

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subdivision to Lyndon Hooper Park. This new layout still provides for the efficient movement of vehicles as outlined in the updated TIA.

Furthermore, the dry pond has been reshaped to accommodate this pathway between Block 86 and 87 while reorienting Block 74 to accommodate for the new proposed street layout. This reduces the unit count for the executive townhouses by two but enables a more efficient block layout while maintaining a mix of dwelling types and allows for natural surveillance throughout the subdivision.

3.0 PARKLAND DEDICATION APPROACH

As outlined by the *Planning Act* and the City of Ottawa Official Plan 2003 and 2022, residential developments are required to provide parkland dedication or Cash-In-Lieu (CIL). As seen above in Figure 2, no parkland dedication was provided in the first submission and CIL was proposed for the subject development.

At that time, residential development at densities greater than 18 dwellings per net hectare, the minimum parkland requirement was as follows:

- *One (1) hectare for every three hundred (300) dwelling units, but for apartments, as defined by the zoning by-law, this parkland conveyance will not exceed a maximum of 10% of the land area of the site being developed.*

Based on the number of proposed dwelling units, a total of 222, 0.74 hectares of parkland is required as part of the development. As of now, 0.03 hectares has been proposed to be provided at the north-west corner of the draft plan as a result of the block pattern, which leaves 0.737 hectares remaining to be provided as CIL.

As described in the first round of comments, City Staff have requested that parkland dedication be included within the proposed development. Staff had requested that additional lands be provided for Lyndon Hooper Park, located to the north-west, in a size and shape that would allow for appropriate park amenities to be included.

Based upon our work on the various stages of this file, we would concur with our client's opinion that based on the existing context of the parkland in the Arcadia neighbourhood and adjacent existing green space afforded by the Carp River, along with the reduce parkland rate from Bill 23, CIL should be accepted over parkland dedication for Stage 5.

3.1 New Parkland Dedication Rate

As a result of Bill 23 in October 2022, the parkland dedication rate as outlined in the *Planning Act* was revised so that parkland would be provided for "*one (1) hectare for every six hundred (600)*

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dwelling units instead of one (1) hectare for every three hundred (300) dwelling units” (Section 51.1(2)). For the proposed development, this essential halved the required parkland dedication from 0.74 hectares to 0.37 hectares.

Previous to this new provincial legislation, the City of Ottawa Council had passed a new parkland dedication by-law in September 2022, before the new parkland rate of 1 hectare per 600 dwelling units came into force and effect. However, this parkland by-law was appealed; therefore, it is still not in full force and effect. Therefore, the previous parkland by-law, Parkland Dedication By-law No 2009-250, is still in force and effect as it was only repealed once the new By-law came into effect.

Section 51.1 (2) of the *Planning Act* outlines that municipalities may pass a by-law that outlines an alternative requirement for the conveyance of parkland for residential subdivision. That rate for parkland dedication is required to be either 1 hectare per 600 dwelling units or a lesser rate determined by the municipality. This rate outlined in the *Planning Act* would apply as this is the lesser rate compared to the City of Ottawa’s previous parkland by-law, of 1 hectare per 300 dwelling units. In this case, the lesser rate of 1 hectare per 600 dwelling units found in the *Planning Act* applies to the subject lands as they are not draft approved, and the rules of the day apply.

As a result of the required parkland dedication being reduced to 0.37 hectares, the conveyance of land does not make sense in terms of size and layout. This size is also not sufficient to meet the City’s description of a parkette which are described as being between 0.4 and 1.2 hectares in size (pp 161, Parks and Recreation Facilities Master Plan 2021).

Providing additional land to a park the size Lyndon Hooper Park, 2.46 hectares, would not provide an area that would effectively add to the current facilities proposed for the park. This small increase in area for residents to use would be better allocated for improvements within the current area, such as within another existing or proposed park. As well, based on the requested location of this parkland, north-west, and current layout of the subdivision, this additional parkland would likely create an awkward layout of both the subdivision and Lyndon Hooper Park. The currently approved plan for the Lyndon Hooper Park already provides an appropriate level of service for this community.

3.2 Existing Park Amenities and Green Space

As part of the draft approval for Stages 1-4 and 6 in the Arcadia Subdivision, four different parks were dedicated to the City. This includes Arcadia Park and Brettonwood Parkette which were dedicated as part of Stage 1 and 2. As part of Stage 3 and 4, Lyndon Hooper Park was dedicated to the City and another park was dedicated to the City as part of Stage 6. A total of 4.03 hectares of parkland was dedicated to the City through the previous stages. Only a very small portion of CIL was previously provided to the City in Stage 6 to accommodate servicing requirements within the proposed park.

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Our client has met the parkland requirements for the previous stages of the subdivision through the dedication of land. This demonstrates their previous commitment to ensuring there is sufficient parkland available for the residents of the neighbourhood.

This commitment is seen in the variety of amenities located in the parks within Arcadia. This includes:

- ✓ five playgrounds,
- ✓ a splash pad,
- ✓ two different sized soccer fields,
- ✓ two different sized areas for outdoor hockey rinks,
- ✓ a basketball court,
- ✓ tennis courts,
- ✓ a variety of sitting options, and
- ✓ additional grassed, open play areas have been provided the in each of the parks to enable unstructured games and activities.

Along with these amenities, several pathways exist throughout the neighbourhood including the two new pathways around the Paine and Campeau Ponds and pathways along the Carp River and Feedmill Creek. Through discussion during the Stage 6 approval, the City did secure to have the Feedmill Creek pathway be built as part of the Feedmill Creek Environmental Assessment (EA) currently in design before the LRT will be constructed. This provides the residents for opportunities to enjoy the existing natural features found in the area in addition to the formal parkland.

The presence of the all the existing amenities, green space and pathways demonstrates how well served the existing residents are with parkland. Additional parkland dedication does not appear to be needed to meet the residents needs based on the existing context of park and green space in the area. As well, the small requirement of 0.34 hectares will provide minimal benefits, based on the size and layout of the existing park and plan subdivision. It is therefore our opinion that parkland in the form of CIL is appropriate within the context of this subdivision application and will provide appropriate benefits to the City.

4.0 REVISED ZONING BY-LAW AMENDMENT

A zoning by-law amendment is required to permit the proposed development on the subject lands. The current “DR” zoning of the subject lands will not permit the proposed Draft Plan of Subdivision. As stated in the initial rationale, the R3YY zone was chosen based on the existing Stage 1-4 of the Arcadia subdivision which currently has that zoning as the parent zone.

Upon the initial submission of the application, the R3Z was contemplated for the proposed development but based on the existing R3YY [2567] to the west of the subject lands, with

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similar lotting and dwellings, this zone was proposed for the subject lands. However, with changes to the layout of the Draft Plan and the addition single detached dwelling model within Arcadia Stage 5, we recommend the R3Z subzone along with a new urban exception be considered for the zoning of the subject lands.

The performance standards found in the R3YY and the R3Z are very similar in terms of required setbacks and the lot area. The new layout and dwelling typologies proposed in Stage 5 further comply with the R3Z provisions and are consistent with this zone. Exceptions for each dwelling type will be required along with six (6) exceptions to other provisions found in the City of Ottawa Zoning By-Law 2008-250. The proposed exceptions requested from the R3Z zone for each of the proposed dwelling types are outlined below:

- *For a detached dwelling, except where located on a corner lot with a driveway providing access from a corner side yard*
 - i. *minimum lot width: 8.20m*
 - ii. *minimum lot area: 195m²*
 - iii. *maximum building height: 12.0m*
 - iv. *minimum corner side yard setback: 2.50m*

- *For a detached dwelling located on a corner lot with a driveway providing access from a corner side yard:*
 - i. *minimum lot width: 8.20m*
 - ii. *minimum lot area: 195m²*
 - iii. *maximum building height: 12.0m*
 - iv. *minimum corner side yard setback: 1.20m*

- *For a semi-detached dwelling:*
 - i. *minimum lot width: 6.50m*
 - ii. *minimum lot area: 170m²*
 - iii. *maximum building height: 12.0m*

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- iv. *minimum corner side yard setback: 2.50m*

- *For a Townhouse dwelling, where the dwellings are arranged only side-by-side:*
 - o *Located on Block 63-79 (Executive Towns)*
 - i. *minimum lot width: 5.70m*
 - ii. *minimum lot area: 120m²*
 - iii. *maximum building height: 12.0m*
 - iv. *minimum corner side yard setback: 2.50m*

- *For a Townhouse dwelling, where the dwellings are arranged both side-by-side and back-to-back:*
 - o *Located on Block 81-88 (Back-To-Back Towns)*
 - i. *minimum lot width: 5.70m*
 - ii. *minimum lot area: 75m²*
 - iii. *maximum building height: 12.0m*
 - iv. *minimum corner side yard setback: 2.50m*
 - v. *minimum rear yard setback: 0m (or not rear yard setback requirement)*

Additional relief is required for the minimum lot width for the detached dwelling as a result of the new block layout and the new 28' wide lots for the single detached dwelling. Relief from the minimum lot area is required as a result of the smaller width lots. Additional relief from the maximum height from 11.0m to 12.0m is to ensure all dwellings comply with the height. New relief is requested in the second submission to distinguish between the different types of townhouse dwelling units that are proposed.

Along with these exceptions, six (6) exceptions to the zoning by-law are required, specifically related to permitted projections, location of parking, the maximum number of attached dwellings and height. These exceptions will ensure the proper function of each of the proposed lots and blocks. The exceptions are outlined below:

- *Despite Table 65, an air conditioner is permitted as a projection into the front and corner side yard.*

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- *A maximum of 65% of the area of the front yard, or the required minimum width of one parking space, whichever is the greater, may be used for a driveway, and the remainder of the yard, except for areas occupied by projections permitted under Section 65 and a walkway with a maximum width of 1.8 metres, must be landscaped with soft landscaping.*
- *For lots outside of Schedule 342 and where an attached garage accesses a public street by means of a driveway that crosses a sidewalk, the attached garage must be setback at least 5.2 m from the nearest edge of the sidewalk.*
- *In the case of a home-based business operating within a townhouse, townhouse with rear lane access, or a back-to-back townhouse, a parking space is only required if a non-resident employee works on-site.*
- *Section 136 does not apply.*
- *Endnote #6 in Table 160B does not apply.*

The proposed wording above will be included as part of the urban exception along with the requested relief from the R3Z zone for each dwelling type. The proposed development will comply with all remaining provisions of the Zoning By-law.

5.0 CONCLUSION

This Planning Rationale Addendum #1 was prepared to supply City Staff with further details on the initial Planning Rationale and complete application that was submitted to the City in December 2021, on behalf of our client, Minto Communities. This Addendum is to support the ongoing applications for Draft Plan of Subdivision (DPS) and Major Zoning By-law Amendment (ZBA) to permit the residential development of Stage 5 lands of the Arcadia Subdivision. Specifically, to address changes to the draft plan layout and requested relief from the zoning by-law as well as a discussion on parkland dedication.

It is our opinion that based on the reduced rate for parkland dedication, to 1 hectare per 600 dwelling units, CIL is appropriate for this application. This new rate would only result in an additionally 0.34 hectares being dedicated as part of Stage 5. The requested location of this parkland, adjacent to an existing park currently being built on 2.46 hectares, will be redundant as the residents needs appear to be already met.

Furthermore, this redundancy exists based on the over 4 hectares of parkland being provided by Stages 1-4 and 6 in the Arcadia neighbourhood, which already contain several different amenities. Existing pathways along the two stormwater ponds, Carp River and Feedmill Creek further provide residents with different opportunities to interact with the green space and natural

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features found in this neighbourhood. New parkland dedicated as part of Stage 5 will provide minimal benefits for Stage 5 and affect the currently proposed subdivision layout. Based on this context, it is our opinion CIL of parkland is the appropriate option for this application.

The revised proposed ZBA is consistent with the Provincial Policy Statement, 2020 (PPS) and conforms to the intent of both the old and new Official Plan in proposing new residential development that is transit supportive and accommodates new growth in the existing built-up area.

The proposed ZBA seeks to change the current zoning of the subject property from Development Reserve, Urban Exception 1932 (DR [1932]) to Residential Third Density, Subzone "Z", Urban Exception XXXX (R3Z [XXX]) to permit residential development in accordance with the Draft Plan of Subdivision.

The application is supported by various technical studies prepared by members of the project team, that have been updated as part of this second submission and addressed under a separate comment letter. Overall, the proposed development is representative of good land use planning and will respect the existing local character of the surrounding community.

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Should you have additional questions or require clarification on any of the information provided herein, please do not hesitate to contact the undersigned.

Best Regards,

J.L. RICHARDS & ASSOCIATES LIMITED

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