

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

**Agenda 18**  
**Ordre du jour 18**

**Tuesday, October 26, 1999 - 9:15 a.m.**  
**Le mardi 26 octobre 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 17 (October 12, 1999)

Procès-verbal 17 (Le 12 octobre 1999)

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### **Action Items**

#### **Articles pour exécution**

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| 2. | <p><b>Parking - Cash-in Lieu - 272 Elgin Street</b></p> <p><b>Stationnement - Règlement financier - 272, rue Elgin</b></p> <p>Ref.: ACS1999-PW-PLN-0131</p>   | <p><b>23</b></p> <p><b>OT6 - Somerset</b></p>    |

### **Members' Reports - Enquiries**

#### **Rapports des membres - demandes de renseignements**

Councillor/Conseillère Elisabeth Arnold, Chairperson/présidente

Councillor/Conseiller Shawn Little, Vice-Chairperson/vice-président

Councillor/Conseiller Stéphane Émard-Chabot

Councillor/Conseiller Allan Higdon

Councillor/Conseiller Ron Kolbus

AML

September 27, 1999

ACS1999-PW-PLN-0113  
(File: OCM3100/1999-001)

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
- City Council / Conseil municipal

Action/Exécution

## **1. Official Plan Amendment - Ottawa Macdonald-Cartier International Airport: Noise Policies**

### **Modification du Plan directeur - Aéroport International Macdonald- Cartier d'Ottawa: politiques sur le bruit**

#### **Recommendation**

That an Amendment to the City of Ottawa Official Plan to add policy direction with respect to airport noise protection and noise sensitive development, and to add revised noise contours and protection zones on Schedule F - Environmental Constraint Areas / Sites, be APPROVED, as detailed in Document 1.



September 28, 1999 (9:04a)

Edward Robinson  
Commissioner of Urban Planning and Public  
Works



September 28, 1999 (2:02p)

Approved by  
John S. Burke  
Chief Administrative Officer

PPL:ppl

Contact: Pierre Lacroix - 244-5300 ext. 1-3877

## Financial Comment

N/A.

  
September 27, 1999 (3:42p)

for Mona Monkman  
City Treasurer

BH:cds

## Executive Report

### Reasons Behind Recommendation

The purpose of the amendment is twofold:

- a) to have regard to the Provincial Policy Statement on Airport noise , as it applies to the Ottawa Macdonald-Cartier International Airport; and,
- b) to bring the City of Ottawa Official Plan into conformity with the new Regional Official Plan policies on Airport Noise.

The amendment recognizes the economic importance of the Ottawa Macdonald-Cartier International Airport, and protects it by limiting or restricting the development of noise sensitive land uses which could impact on its operations.

The amendment also recognizes existing development rights by allowing limited development of noise sensitive land uses within the Airport Operating Influence Zone (AOIZ) where the development meets the requirements of the Regional Official Plan , the City's Official Plan, and the Zoning By-law, and does not require approval by way of a plan of subdivision.

Additionally, an Airport Vicinity Development Zone (AVDZ) has been established. The AVDZ is a way of identifying the areas around the airport where aircraft noise, in addition to other protection requirements for the safe operation of aircraft, are factors that must be considered when developing near the airport.

In accordance with upper tier policy direction, this amendment to the City of Ottawa Official Plan proposes the following:

- a) to add to Chapter 6.0 - Environmental Management, policy direction with respect to Airport Noise;
- b) to identify the various zones related to airport noise on Schedule "F" - Environmental Constraint Areas / Sites; and,
- c) to add to the Definitions section and to make minor modifications relating to the name of the airport in Chapter 4.0 - Economic Development and Employment Areas.

On May 1, 1996, Transport Canada issued its revised noise guidelines on development near airports where new residential development should not be approved above 30 Noise Exposure Forecasts. Transport Canada has carried out assessments which establish a relationship between land use sensitivity to noise and the noise contours.

In February 1997, the Province of Ontario issued an amendment to its Provincial Policy Statement of May 1996 to protect airports from incompatible development and ensure their long term prosperity, following revised federal guidelines related to land use planning near airports. The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning. The new Provincial Policy prohibits residential and other noise-sensitive development above the 30 Noise Exposure Forecasts (NEF) and the 30 Noise Exposure Projections (NEP), except in limited circumstances. Specifically, the policy is as follows:

*To protect airports from incompatible development:*

1. *New residential development and other sensitive land uses will not be permitted in areas near airports above 30 NEF/NEP, as set on maps (as revised from time to time) approved by Transport Canada; but*
2. *Redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses may be considered above 30 NEF/NEP if it has been demonstrated that there will be no negative impacts on the long-term function of the airport.*

The new Regional Official Plan, approved by the Ontario Municipal Board in April 1999, also contains policies on Airport Noise and implementation of land use near airports. The Plan includes an Airport Vicinity Development Zone (AVDZ). This zone identifies a constraint area around the airport based on aircraft noise contours and various height limitations and other airport operating requirements described in the Airport Protection Plan. This zone is a constraint zone rather than a no-development zone.

The Plan also includes an Airport Operating Influence Zone (AOIZ). The Airport Operating Influence Zone development policies were formulated to implement the new Provincial Policy Statement relating to development near airports and requirements to address aircraft noise issues.

The City of Ottawa Official Plan contains policies in Chapter 6.0 of Volume I regarding airport noise based on the 1978 provincial reference document *Land Use Planning Near Airports, 1978*. Chapter 6.0 does not contain any of the updated provincial or regional government policies on airport noise and any reference to the 1996 Transport Canada publication. Schedule "F"- Environmental Constraint Areas/Sites, presently shows the NEF (1994) and NEP (2000) contour lines. It has not been updated to show the revised year 2014 NEP contour lines. The Official Plan contains policy for development above 35NEF/NEP only, and does not reflect the new policy of prohibiting residential and other noise sensitive

development above the 30 NEF/NEP . The Official Plan also does not contain policy for either the OAOIZ or the AVDZ. This amendment proposes to correct the above-noted deficiencies to the Official Plan and to reflect the Regional Official Plan policies and the Provincial Policy Statement on Airport Noise. The impact of the new policies is on new development and does not affect existing uses.

Based on the above, the amendment proposes to modify Schedule F - Environmental Constraint Areas/Sites of the City of Ottawa Official Plan to show the revised Noise Exposure Forecasts (NEP) contour lines based on the year 2014 forecasts, the composite 25 NEF/NEP, the AOIZ and the AVDZ. The terms “Airport Operating Influence Zone” and “Airport Vicinity Development Zone” will be defined and added to Section 1.7 of the Official Plan. Furthermore, the Provincial Policy Statement and the Regional Official Plan do not permit any development of new residential and other noise-sensitive land uses above the 30 NEF/NEP, and contains policies for both the AOIZ and the AVDZ. These policies will be added to Chapter 6.0 - Environmental Management of the City’s Official Plan.

## Consultation

Notification of a proposed Official Plan amendment and a copy of the draft amendment were circulated to the Ward Councillor, area community associations, the Federation of Community Associations, public bodies, technical agencies, and City Hall Media.

## Disposition

Department of Corporate Services, Statutory Services Branch, to notify Clerk of the Regional Municipality of Ottawa-Carleton of City Council’s decision set out in Recommendation 1.

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 1    Official Plan Amendment  
 Document 2    Consultation Details



**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 the amendment is twofold: (1) to have regard to the Provincial Policy Statement on Airport noise , as it applies to the Ottawa Macdonald-Cartier International Airport; and (2) to bring the City of Ottawa Official Plan into conformity with the new Regional Official Plan policies on Airport Noise.

The amendment recognizes the economic importance of the Ottawa Macdonald-Cartier International Airport, and protects it by limiting or restricting the development of noise sensitive land uses which could impact on its operations.

The amendment also recognizes existing development rights by allowing limited development of noise sensitive land uses within the Airport Operating Influence Zone (AOIZ) where the development meets the requirements of the Regional Official Plan , the City's Official Plan, and the Zoning By-law, and does not require approval by way of a plan of subdivision.

Additionally, an Airport Vicinity Development Zone (AVDZ) has been established. The AVDZ is a way of identifying the areas around the airport where aircraft noise, in addition to other protection requirements for the safe operation of aircraft, are factors that must be considered when developing near the airport.

In accordance with upper tier policy direction, this amendment to the City of Ottawa Official Plan proposes to: (1) add to Chapter 6.0 - Environmental Management, policy direction with respect to Airport Noise; and (2) to identify the various zones related to airport noise on Schedule "F" - Environmental Constraint Areas / Sites. Additions to the Definitions section and minor modifications relating to the name of the airport in Chapter 4.0 are also contained in this amendment.

### 2.0 Location

The lands affected by this amendment are those which contain the Ottawa Macdonald-Cartier International Airport, located south of Hunt Club Road and east of the Rideau River, and those lands which contain the various noise contour lines, the AOIZ and the AVDZ.

### 3.0 Basis

#### 3.1 Background and Context

##### **Provincial Policy Statement**

Transport Canada establishes noise contours around airports to control incompatible development that may adversely affect airport operations and to minimize the amount of aircraft noise experienced by residents of Ottawa-Carleton. These contours consist of short-term Noise Exposure Forecasts (NEF) and longer-term Noise Exposure Projections (NEP). The NEP lines, currently shown on Schedule "F" of the Official Plan were based on projections to the year 2000. Transport Canada has now revised the NEP to reflect projections to the year 2014.

On May 1, 1996, Transport Canada issued its revised noise guideline on development near airports where new residential development should not be approved above 30 NEF. Transport Canada has carried out assessments which establish a relationship between land use sensitivity to noise and the noise contours. The conclusion drawn from the assessment is described in the federal reference document *Land Use in the Vicinity of Airports, 1996, TP-1247*.

In February 1997, the Province of Ontario issued an amendment to its Provincial Policy Statement of May 1996 to protect airports from incompatible development and ensure their long term prosperity, following revised federal guidelines related to land use planning near airports. The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning. The new Provincial Policy prohibits residential and other noise-sensitive development above the 30 Noise Exposure Forecasts (NEF) and the 30 Noise Exposure Projections (NEP), except in limited circumstances. Specifically, the policy is as follows:

*To protect airports from incompatible development:*

1. *New residential development and other sensitive land uses will not be permitted in areas near airports above 30 NEF/NEP, as set on maps (as revised from time to time) approved by Transport Canada; but*
2. *Redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses may be considered above 30 NEF/NEP if it has been demonstrated that there will be no negative impacts on the long-term function of the airport.*

### **Regional Official Plan**

The new Regional Official Plan, approved by the Ontario Municipal Board in April 1999, contains policies on Airport Noise and implementation of land use near airports. The Plan includes an Airport Vicinity Development Zone (AVDZ). This zone identifies a constraint area around the airport based on aircraft noise contours and various height limitations and other airport operating requirements described in the Airport Protection Plan. This zone is a constraint zone rather than a no-development zone.

The Plan also includes an Airport Operating Influence Zone (AOIZ). The Airport Operating Influence Zone development policies were formulated to implement the new Provincial Policy Statement relating to development near airports and requirements to address aircraft noise issues.

The AOIZ is a zone around the Ottawa Macdonald-Cartier International Airport which encompasses a composite of the 30 NEF/NEP airport noise contours, established as the criteria above which no noise-sensitive development should occur. The AOIZ is generally based on a fixed line following physical features, such as roads, creeks, rail lines, or lot lines, where possible, and provides a greater level of detail on noise policies than the AVDZ.

The principle of the AOIZ is that no noise-sensitive development, including residential development will be permitted within the zone. However, in some cases, such as redevelopment of existing residential and other noise-sensitive land uses and infilling of new residential uses, requirements for noise mitigation will apply. Outside the AOIZ, noise-sensitive development would be permitted between the 25 NEF/NEP and the AOIZ, provided that buildings are designed to meet the indoor aircraft noise criteria outlined in the Ontario Ministry of the Environment document LU131, October 1997, and notification is provided to future occupants of the lands affected by aircraft noise. A noise study could also be required for developments between the 25 NEF/NEP and the AOIZ.

### **City Official Plan**

The City of Ottawa Official Plan contains policies in Chapter 6.0 of Volume I regarding airport noise based on the 1978 provincial reference document *Land Use Planning Near Airports, 1978*. Chapter 6.0 does not contain any of the updated provincial or regional government policies on airport noise. Schedule "F"- Environmental Constraint Areas/Sites, presently shows the NEF (1994) and NEP (2000) contour lines. It has not been updated to show the revised year 2014 NEP contour lines, nor the composite 25 NEF/NEP and 30 NEF/NEP. The Official Plan contains policy for development above 35NEF/NEP only, and does not reflect the new policy of prohibiting residential and other noise sensitive development above the 30 NEF/NEP. The Official Plan also does not contain policy for either the OAOIZ or the AVDZ. This Amendment proposes to correct the above-noted deficiencies to the Official Plan and to reflect the Regional Official Plan policies and the Provincial Policy Statement on Airport Noise. The impact of the new policies is on new development and does not affect existing uses.

### 3.2 Contents of the Amendment

The amendment proposes to modify Schedule F - Environmental Constraint Areas/Sites of the City of Ottawa Official Plan to show the new Noise Exposure Forecasts (NEF) contour lines based on the year 2014 forecasts, the AOIZ and the AVDZ. The terms “Airport Operating Influence Zone” and “Airport Vicinity Development Zone” will be defined and added to Section 1.7 of the Official Plan. Furthermore, the Provincial Policy Statement/Regional Official Plan does not permit any development of new residential and other noise-sensitive land uses above the 30 NEF/NEP, and contains policies for both the AOIZ and the AVDZ. These policies will be added to Chapter 6.0 - Environmental Management of the City’s Official Plan.

The Amendment also makes some minor changes of a technical administrative nature to specific portions of the Official Plan. For example, it is necessary to recognize the new name of the airport which is the Ottawa Macdonald-Cartier International Airport. Reference to the Ministry of the Environment in Policy 6.15.2d) must be removed since this Ministry is no longer directly involved with the review of individual noise studies. The responsibility now lies solely with the Ministry of Municipal Affairs. However, Transport Canada and/or the Airport Authority may still be involved in the review of individual noise studies.

While the intent of the Official Plan policies in Section 6.15 of Volume I is still to protect the citizens of Ottawa from airport noise, a new objective is required to reflect the intent of the revised Provincial Policy Statement to protect the Airport and its future operations from incompatible development. The new objective recognizes the economic importance that the Airport represents to the Region. New policies reflected in this Official Plan Amendment aim to protect the Airport by limiting noise sensitive land uses which could impact on its operations by recognizing the Ottawa Airport Operating Influence Zone.

The highlights of the proposed amendment regarding airport noise and airport protection policies consist of the following:

- to establish the AOIZ and the AVDZ;
- to require a noise study or the use of the “Prescribed Measures to Address Airport Noise” document for all development at or above 25 NEF/NEP;
- to allow for residential and other noise sensitive land uses between the OAOIZ and NEF/NEP 35 only in the case of redevelopment of existing residential and other noise-sensitive land uses and infilling of new residential uses, with conditions;
- to not permit residential and other noise-sensitive uses such as hospitals, schools, day care facilities, nursing care facilities and other similar uses above 35 NEF/NEP.

The Official Plan is currently silent on development above 25 NEF/NEP and 30 NEF/NEP. The amendment sets out clear policies for development above the 25 NEF/NEP. In summary, residential development is permitted between the 25 NEF/NEP and the OAOIZ, subject to a noise study being done, or, in lieu of it, the “Prescribed Measures to Address Airport Noise” being met. The prescribed measures include the components of building design necessary to meet the Ministry’s indoor noise criteria for aircraft noise, such as the types of wall and window materials that can be used, and the requirement for a forced air heating system sized to accommodate the installation of a central air conditioning system.

Development of noise sensitive land uses such as homes, schools, and day cares is prohibited between the OAOIZ and the 35 NEF/NEP, except in the case of redevelopment, or residential infilling where the proposal would meet the policies of the Official Plan and Zoning By-law and would not require subdivision approval. A noise study to address noise mitigation measures and airport noise warning clauses registered on title would be required in these situations. The policy recognizes the existing rights of property owners while protecting future inhabitants.

No noise sensitive land uses are permitted above the 35 NEF/NEP except where lots of record exist and no further planning approvals (with the exception of the infill site plan process) are necessary to obtain a building permit. Other forms of development may be considered subject to aircraft noise assessment and the use of acoustical mitigation in building design. At present, the Official Plan noise policies state that only residential uses are not allowed over 35 NEF/NEP.

A reference to the Macdonald-Cartier International Airport Zoning Regulations has also been introduced to the City’s Official Plan through this amendment. The Airport Zoning Regulations are prepared by Transport Canada and limit such things as the heights of buildings which are in line with the approach surfaces of the airport. The reference serves to alert developers to the existence of these additional regulations, which would apply in the Airport Vicinity Development Zone. The regulations are described in the “Airport Protection Plan” document.

## **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 the attached Schedules "B", "B-1", and "B-2" constitute the Amendment 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 Schedule "F" - Environmental Constraint Areas/Sites is revised to delete the NEP (2000) contours and to show the new NEP (2014) contour lines, the composite 25 NEF/NEP, the Airport Operating Influence Zone (AOIZ), and the Airport Vicinity Development Zone (AVDZ) as shown more specifically on Schedule "B2" attached hereto.

2.2 Chapter 1.0 - Introduction - of Volume I is amended as follows:

2.2.1 Volume 1, Section 1.7 - Definitions, new definitions entitled "Airport Operating Influence Zone" and "Airport Vicinity Development Zone" are added after "Affordable Housing" as follows:

"The 'Airport Operating Influence Zone' (AOIZ) is an area around the Ottawa Macdonald-Cartier International Airport which was determined by using a composite of the 30 NEF/NEP aircraft noise contours as a basic criteria; but then uses a fixed line which follows physical features such as roads, creeks, rail or lot lines where possible, and whose principle is that noise-sensitive development, including residential, is not permitted within the AOIZ, except under limited circumstances."

"The 'Airport Vicinity Development Zone' (AVDZ) is an area around the Ottawa Macdonald-Cartier International Airport where aircraft noise, in addition to other protection requirements for the safe operation of aircraft, such as airport zoning regulations, are factors that must be considered when developing near the Airport."

2.3 Chapter 4.0 - Economic Development and Employment Areas - of Volume I is amended as follows:

Policy 4.5.2b)ii) is amended by striking out the phrase “Ottawa International Airport” and replacing it with the phrase “Ottawa Macdonald-Cartier International Airport”. It is further amended by striking out the phrase “provincial government policy document entitled *Land Use Planning Near Airports, 1978*, as amended from time to time, published by the Ministry of Municipal Affairs” and replacing it with the phrase “Transport Canada policy document entitled *Land Use in the Vicinity of Airports, 1996, TP1247*”.

2.4 Chapter 6.0 - Environmental Management - of Volume I is amended as follows:

2.4.1 Section 6.15.1 Objectives is amended by adding a new Objective “a)”, entitled “Protect Airport Incompatible Development”, to read as follows:

“a) To recognize the economic importance of the Ottawa Macdonald-Cartier International Airport and to provide a degree of protection to the airport from incompatible development.”,

and, that Objectives 6.15.1a) and 6.15.1b) be re-lettered 6.15.1b) and 6.15.1c) respectively.

2.4.2 Policy 6.15.2 a) Airport Noise is amended by deleting the entire second sentence of the paragraph and replacing it with the following text: “The Airport Operating Influence Zone (AOIZ), the Airport Vicinity Development Zone (AVDZ) and the NEF/NEP contours are shown on Schedule F - Environmental Constraint Areas/Sites and this information will be used in conjunction with the policies of this section and other relevant parts of the Official Plan, as the means to ensure land use compatibility with airport operations.”

2.4.3 Policy 6.15.2 b) Provincial Policy is amended by striking out the phrase “Provincial Government, as set out in the publication *Land Use Policy Near Airports, 1978*, as amended from time to time, published by the Ministry of Municipal Affairs” and replacing it with the phrase “Transport Canada publication *Land Use in the Vicinity of Airports, 1996, TP1247*.”

2.4.4 Policy 6.15.2 c) Residential Development Near Airports is deleted in its entirety and replaced with the following new Policy 6.15.2 c) Residential and Noise-Sensitive Development Near Airports:

“City Council, in deciding whether or not a proposed development is permitted:

- i) shall implement the NEF and NEP contour maps approved by Transport Canada or its delegate, in the context of *Land Use in the Vicinity of Airports, 1996*, published by Transport Canada, and *Noise Assessment Criteria in Land Use Planning, October 1997, LU131*, published by the Ministry of the Environment. The applicable NEF/NEP values determined from the NEF/NEP contour maps and the more restrictive of NEF/NEP will apply;
- ii) may require that a noise control feasibility study be prepared for all land use development proposals at or above 25 NEF/NEP. The study will determine whether the proposed location and preliminary design of the development will be compatible with aircraft noise. The study will also include consideration of other sources of noise not contained within the NEF/NEP calculation from aircraft operating on the ground and helicopter noise;
- iii) may require that a detailed noise control study be prepared for all land use development proposals at or above 25 NEF/NEP as a condition of approval of a site plan control application. The purpose of the study is to assess all noise sources affecting the proposed lands and include details of assessment methods, results and recommendations for noise control measures which shall be secured by way of agreement with City Council approval. In lieu of a detailed noise control study an alternative approach to secure indoor aircraft noise attenuation for residential developments between the 25 NEF/NEP and the Airport Operating Influence Zone on Schedule F, is where a list of prescribed measures are included in the components of residential building design and in any ventilation requirements necessary to meet Ministry of the Environment indoor noise criteria for aircraft noise, in the context of *Noise Assessment Criteria in Land Use Planning, 1997*. These noise control measures and the appropriate notice to prospective purchasers and tenants of a possible noise problem, would be secured by way of agreement with City Council approval; and,
- iv) shall require that the development applications comply with the provisions of the *Ottawa International Airport Zoning Regulations* under the *Aeronautics Act*, regarding location and height limits to which objects project into the airspace in the Airport Vicinity Development Zone, and the protection requirements of electronic and telecommunications facilities associated with aircraft operations;

- v) notwithstanding the above, shall not permit any development of residential and other noise-sensitive land uses such as hospitals, schools, day care facilities, nursing care facilities and other similar uses in the Airport Operating Influence Zone shown on Schedule F - Environmental Constraint Areas / Sites above the 35 NEF/NEP; and, shall not permit any development of residential and other noise-sensitive land uses, between the boundaries of the Airport Operating Influence Zone shown on Schedule F - Environmental Constraint Areas / Sites and the 35 NEF/NEP, except in the case of redevelopment of existing residential and other noise-sensitive land uses and infilling of new residential uses, provided that the development proposal:
- a) does not require the approval of a plan of subdivision, or amendment to the zoning by-law or amendment to the Regional or this Official Plan;
  - b) is on a new lot created by severance that is permitted in the zoning by-law existing on 9 July 1997 and is in accordance with all the provisions of this Plan and the Regional Official Plan;
  - c) is on a lot existing and fronting on a public road that is maintained year-round, provided that the lot was created under the Planning Act prior to July 9, 1997, and the use is permitted in the zoning by-law existing on July 9, 1997, and is in accordance with all the provisions of this Plan;
  - d) development meets all noise attenuation requirements, the provisions of the Ottawa International Airport Zoning Regulations and be in accordance with policies of this Plan and the Regional Official Plan.”

2.4.5 Policy 6.15.2d)ii) - Consultation is amended by striking out “and Ministries of Municipal Affairs and the Environment” and replacing it with the phrase “, Ministry of Municipal Affairs and Housing and the Airport Authority or its delegate.”.

2.4.6 Policy 6.15.2e) - Acoustic Design Criteria is amended by adding the phrase “site plan agreements” after the word “condominium” and is further amended by striking out the phrase “the Provincial government as set out in the publication *Land Use Policy Near Airports, 1978*” and by replacing it with the phrase “*Land Use in the Vicinity of Airports, 1996*, as amended from time to time, published by Transport Canada”. The policy is further amended by adding the following phrase at the end of the paragraph: “Appropriate notice to prospective purchasers and tenants of a possible noise problem will be secured by making such notice a requirement through a development agreement.”

3.0 Implementation and Interpretation  
Implementation and interpretation of this Amendment shall be made having regard to information contained in all chapters of the City of Ottawa Official Plan.

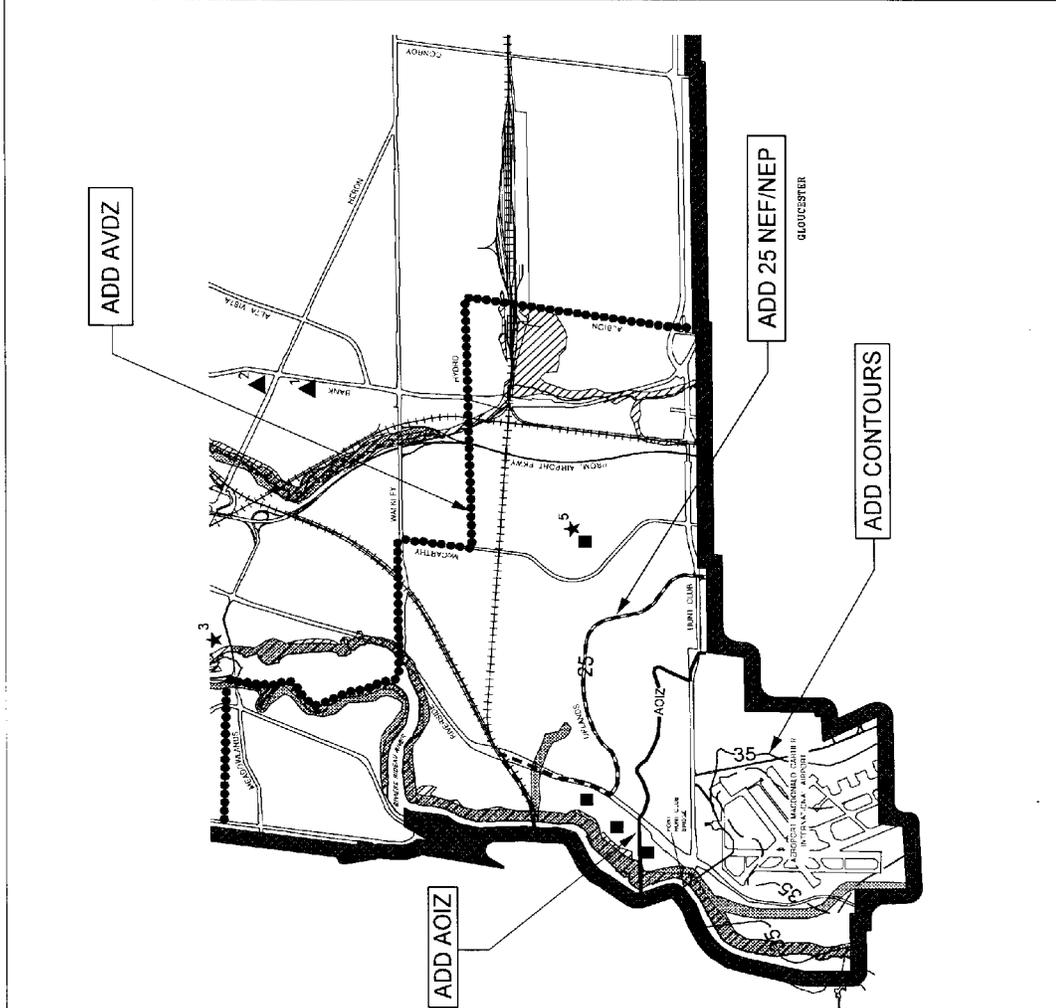






<p><b>Amendment Modification</b></p> <p>Schedule "B-2" Annexe "B-2"</p> <p>Schedule F- Environmental Constraint Areas / Sites <i>Plan F - Secteurs et amplacements touchés par des contraintes environnementales</i></p> <p>An identification of the symbols and/or designations shown on this schedule can be found by consulting the City of Ottawa's Official Plan. <i>Consulter le Plan directeur de la Ville d'Ottawa pour se renseigner sur les symboles et les désignations qui figurent sur le présent plan.</i></p>	<div style="text-align: right;">  <p>DATE: 28 JUIN 1999 28 JUNI 1999</p> </div> <div style="text-align: center;">  </div> <hr/> <p style="font-size: small; text-align: center;">             UPDATED/ACTUALISÉ EN: 1999 / 28 JUIN 1999              1-877-367-8200 / 613-827-3678         </p>
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The President of the *Uplands on the Rideau Association* submitted written comments on behalf of twelve property owners along the Rideau River. It is stated that the proposed Official Plan Amendment could impact the properties in question as some properties are not yet developed while others may be redeveloped. As well, the Association did not want the amendment to affect the legal non-conforming uses the residential properties enjoy.

In response to the Association's concerns, the proposed Official Plan Amendment does not change the existing legal non-conforming uses of the properties. However, all of the properties are directly affected by the proposed airport noise policies as they are located within the Ottawa Airport Influence Zone above the 30 NEF/NEP noise contours. This City of Ottawa Official Plan Amendment will implement the airport noise policies already in place in the Regional Official Plan which prohibit infilling of new residential and other noise-sensitive land uses in this zone where an amendment to the local Official Plan or Zoning By-law, approval of a plan of subdivision, or an amendment to the Regional Official Plan would be required.

After consultation with the Region, who is the approval authority for Official Plan Amendments, it has been determined that this proposed amendment to the City's Official Plan would not impact negatively on the 10 properties which are already developed as residential uses. The two vacant properties at 4120D Riverside Drive would however be prevented from any form of development and would require a rezoning and a Regional Official Plan amendment in order for development to proceed.

Although the Regional Official Plan designates the properties "Business Park", Policy 1.6.8 of the Plan states that the Region cannot force uses of land which legally existed on July 9, 1997 into situations of non-conformity by requiring an amendment to the zoning by-law to make it conform with the Plan. Therefore, the recognition of the existing single family dwellings on developed lots would allow all properties at 4120 Riverside Drive, except for the two vacant lots, to redevelop or to infill new residential use.

In all cases, a noise study or the use of the "Prescribed Measures to Address Airport Noise" would be required for any development. These measures include components of residential building design requirements.

October 6, 1999

ACS1999-PW-PLN-0131  
(File: TPL1999/012)

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

## 2. Parking - Cash-in Lieu - 272 Elgin Street

### Stationment - Règlement financier - 272, rue Elgin

#### Recommendation

That the application for a cash-payment-in-lieu of providing two parking spaces for a medical facility at 272 Elgin Street, be **APPROVED**, in the amount of \$4,628, subject to the following conditions:

- a. The applicant enter into an agreement to the satisfaction of the City Solicitor and that full payment be received upon execution of the agreement;
- b. The agreement contain the condition that the credit of parking spaces shall only apply to a medical facility; and
- c. The approval be considered null and void if the provisions of condition a) have not been fulfilled within six months from the time of Council approval.



October 7, 1999 (7:28a)

for/ Edward Robinson  
Commissioner of Urban Planning and  
Public Works



October 14, 1999 (11:30a)

Approved by  
John S. Burke  
Chief Administrative Officer

DJ:dj

Contact: Douglas James - 244-5300 ext. 1-3856

## Financial Comment

Subject to City Council approval, payment in the amount of \$4,628.00, as determined from the Cash- In-Lieu of Parking Formula, will be credited to the Parking Development Reserve Fund.



October 6, 1999 (4:04p)

for Mona Monkman  
City Treasurer

BH:cds

## Executive Report

### Reasons Behind Recommendation

#### Background

The building on the subject property is presently vacant. It had been previously occupied by a retail business (book store). The applicants wish to establish a dental facility on the property.

There is no parking available on the site. The proposed medical facility requires six parking spaces. Credits associated with the previous retail business equal four parking spaces, therefore cash-in-lieu is required for two spaces. The applicants have indicated that their customer base comes from the surrounding community and is primarily “walk-in” in nature. Furthermore, they have indicated that when parking would be required, it would be short-term in nature (less than four hours in duration).

1. Acceptance of cash payment-in-lieu of parking is considered appropriate where site constraints prevent the provision of the required number of parking spaces.  
The building on the subject property is constructed virtually lot line to lot line. Consequently, it is not possible to provide any parking on site. Furthermore, this proposal represents a change in use of an existing building. There are no additions to the building and no parking is lost.
2. Acceptance of a cash payment-in-lieu of parking is considered appropriate where the existing parking supply in the surrounding area can accommodate the parking deficiency. The Department has considered the parking demand characteristics of the proposed dental business and concurs with the applicant that it will result in a demand for parking which is primarily short-term in nature (90%); patients will stay at the business for less

than four hours in duration. Consequently, the Department is recommending that the short-term and long-term parking ratios for properties outside the Central Area be applied to this property, even though it is located on lands which are subject to the short and long-term parking requirements of the Central Area. Lands within the Central Area occupied by a dental facility are anticipated to have a large amount of long-term parking (80%).

It is recognized that there currently is a shortage of parking in the Elgin Street Area. However, it is also recognized that this shortage is primarily a result of restaurants in the area and that this problem occurs largely at lunch and in the evening, at the peak times for the restaurants. The peak time for the proposed dental facility is in the afternoon, which gives an opportunity for the proposed facility to share on-street parking. Furthermore, the proposed development is only anticipated to result in two additional vehicles requiring on-street parking. Site checks conducted by staff have determined that at the peak time for the proposed use, there is sufficient on-street parking to accommodate the anticipated short-fall from the development.

3. Cash payment in-lieu-of parking is considered appropriate where the proposed use does not negatively impact on the livability of adjacent residential uses. To the west of the subject property is the Centretown neighbourhood. It is not expected that the development's anticipated shortfall of vehicles will occur in the surrounding community, thereby having a negative effect on that adjacent neighbourhood. As mentioned, there is sufficient commercial on-street parking at the peak time of the subject facility, to accommodate these vehicles. In addition, it can be anticipated that the proposed development will for the most part serve the surrounding community, who will be able to travel to the site by means other than automobile.

## **APPLICATION PROCESS TIMELINE STATUS**

This application was received on August 5, 1999 and was subject to a project management timeline, as recommended in the "A Better Way Task Force Report". This application was originally to proceed to the Director of the Planning Branch for approval, however, as the short-term and long-term characteristics of the proposal have been amended from those approved by City Council for Elgin Street, this application must proceed to Planning and Economic Development Committee and City Council for consideration. Consequently, a submission was prepared and placed on the first available agenda.

## **Disposition**

Department of Corporate Services, Statutory Services Branch, to notify the applicant of City Council's decision and the requirement for a Cash-in-Lieu of Parking Agreement.

Office of the City Solicitor to prepare Cash-in-Lieu of Parking Agreement.

## **List of Supporting Documentation**

Document 1 - Fact Sheet

Document 2 - Location Map

Document 3 - Compatibility With Public Participation Policy/Input from other  
Department's or Government Agencies

## Part II - Supporting Documentation

### FACT SHEET

Document 1

Cash-in-Lieu of Parking  
272 Elgin Street  
TPL1999/012

Current Zoning: CN6F30H(18.5)

### Parking Requirements

Use	Parking Required	Parking Credits	Parking Provided	Cash-in-Lieu	Short-term	Long-term
Medical Facility	5.94	4.16	N/A	1.78	5.346	0.594

### Short-term and Long-term Parking by Land Use

<u>Use</u>	Recommended: Outside Central Area	
	<u>Short-term</u>	<u>Long-term</u>
Medical Facility	90%	10%

### Cash-in-Lieu of Parking (based on requirements of the *Zoning By-law, 1998*)

1.78 parking spaces @ \$2,600= \$4,628



NOTIFICATION AND CONSULTATION PROCESS

Notification and Consultation procedures were carried out in accordance with Early Notification Procedures PDD/PPN&C #1 approved by City Council for Cash-in-Lieu of Parking Applications.

In accordance with the notification policies approved by City Council, a sign was posted on the property and a circulation was sent to concerned community groups. No responses were received as a result of the posting of the on-site sign. One response in opposition was received as a result of the circulation to concerned community groups.

Jack Purcell Recreation Association

“The Jack Purcell Recreation Association (JPRA) does not agree with the cash-in-lieu of parking proposal for the site location 272 Elgin Street, as it has the potential to affect parking at the Jack Purcell Community Centre, 320 Jack Purcell Lane.”

Response to Comments From Jack Purcell Recreation Association

It is anticipated that the vast majority of clients for the proposed dental facility will come from the surrounding community or will already be working in the area. Furthermore, staff have confirmed that at the peak time, there is sufficient on-street parking in the area. Consequently, the proposal is not expected to have a detrimental effect on the existing parking situation in the area nor on the Jack Purcell Recreation Centre, located two blocks to the south.

Councillor's Comments

Councillor Arnold is aware of this application.