

Report to/Rapport au :

**Planning Committee
Comité de l'urbanisme**

**June 18, 2012
18 juin 2012**

**Submitted by/Soumis par : Nancy Schepers, Deputy City Manager/Directrice
municipale adjointe, Planning and Infrastructure/Urbanisme et Infrastructure**

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Barrhaven Ward (3)

Ref N°: ACS2012-PAI-PGM-0169

**SUBJECT: OFFICIAL PLAN AMENDMENT - DELETE REQUIREMENT FOR
SIDEWALK ON ONE SIDE OF MADRID AVENUE, WATERLILLY WAY
AND KENTON AVENUE**

**OBJET : MODIFICATION AU PLAN OFFICIEL – SUPPRIMER L'EXIGENCE DE
TROTTOIR D'UN CÔTÉ DE L'AVENUE MADRID, DE LA VOIE
WATERLILLY ET DE L'AVENUE KENTON**

REPORT RECOMMENDATION

That the Planning Committee recommend Council approve and adopt an amendment to the South Nepean Urban Area Secondary Plan – Area 8, Volume 2A of the Official Plan for lands located on the south side of Madrid Avenue, the north side of Waterlilly Way, and the east side of Kenton Avenue as shown in Document 1 and detailed in Document 2.

RECOMMANDATION DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil d'approuver et d'adopter une modification au plan secondaire du secteur urbain de Nepean-Sud – Secteur 8, Volume 2A du Plan officiel, visant les terrains situés du côté sud de l'avenue Madrid, du côté nord de la voie Waterlilly et du côté est de l'avenue Kenton, tel qu'illustré dans le document 1 et exposé en détail dans le document 2.

BACKGROUND

The subject lands are located within the Barrhaven Mews development, south of Strandherd Drive, and west of Greenbank Road, in the Barrhaven community. The subdivision was developed by Mattamy Homes in 2009 and contains a total of 212 freehold townhouse units on public streets, with a mix of street townhomes, back-to-back townhomes and rear lane townhomes. Surrounding land uses are as follows: to the north of Strandherd Drive is a mix of residential and institutional uses; to the west and south is vacant land; and to the east are a stormwater management pond and a commercial plaza. The subject amendment specifically affects lands on the north side of Waterlilly Way, the east side of Kenton Avenue and the south side of Madrid Avenue.

The purpose of the Official Plan Amendment is to amend the South Nepean Urban Area Secondary Plan to delete the requirement for sidewalks on three local streets: the south side of Madrid Avenue, the north side of Waterlilly Way and the east side of Kenton Avenue as shown on the location plan attached as Document 1. The subject amendment is intended to implement previous decisions of Planning Committee that have provided specific direction to staff.

Barrhaven Mews is located within Area 8 of the South Nepean Urban Area Secondary Plan. Policies in the South Nepean Urban Area Secondary Plan require that pedestrian sidewalks be provided on at least one side of all local roads: Specifically, Policy 2 of Section 5.3 *Pedestrians and Bicycles*, specifies that "Pedestrian sidewalks shall be provided on at least one side of all local roads."

The approved Plan of Subdivision and Site Plan for the Barrhaven Mews development proposed a sidewalk on the south side of Madrid Avenue, the north side of Waterlilly Way, and the east side of Kenton Avenue, which are all local streets with a 16.5 metre right-of-way and shallow front yard setbacks. The subject sidewalks have not been constructed by the developer at the request of the Ward Councillor.

In 2009, Councillor Harder requested that the developer cease construction of the proposed sidewalks due to concerns with respect to the impact of a sidewalk on the use of vehicular driveways in new suburban developments. The Councillor's concerns were shared by some residents of Barrhaven Mews, including a group of residents who signed letters in support of stopping the installation of sidewalks. The primary issue was that the installation of a sidewalk would not allow sufficient driveway length to park more than one vehicle between the garage and the rear edge of the sidewalk.

In August 2010, City Council carried a staff report to approve the deletion of the requirement to construct sections of sidewalk on certain local streets in another subdivision in the southerly part of Barrhaven, Mattamy's Half Moon Bay. The staff report had been prepared in response to a motion by Councillor Harder, initiated due to the concerns noted above. As a result of the August 2010 decision, staff were directed to review the criteria used for determining the location of sidewalks on local streets in new suburban neighbourhoods.

In response, staff prepared a report that was received by Planning Committee on October 25, 2011, concluding that sidewalks are important in forming vital links for

pedestrian movement, but may not be required on certain local roads, including streets that are P-loops, have low traffic volumes or do not provide an important link between homes and a particular destination. The staff report noted that in the future, the matter of the location of sidewalks would continue to be resolved through the examination of the need for sidewalks and discussion with staff, proponent and Ward Councillor.

Further to this issue, on January 10, 2012, Planning Committee carried the following recommendation:

“That the Planning Committee direct staff to bring forward a Secondary Official Plan Amendment, in accordance with the required public process, to provide for the deletion of the requirement for a sidewalk on Madrid Avenue, Waterlilly Way and Kenton Avenue”.

DISCUSSION

The requested amendment was evaluated in light of current general and specific guiding planning policies. Policy 2 of Section 5.3 of the South Nepean Urban Area Secondary Plan requires that pedestrian sidewalks be provided on at least one side of all local roads.

In addition, Section 5.1 *Road Network* of the Secondary Plan states that “The policies of Ottawa Official Plan, Sections 2.3 and 4.3 shall apply to all roads.” Policy 9 of Section 4.3 *Walking, Cycling, Transit, Roads and Parking Lots* states that the City shall require provision of a sidewalk or multi-use pathway on at least one side of all roads in the urban area that is served by transit. The Transportation Master Plan also addresses pedestrian facilities as follows: Policy 2 of Section 4.2 *Walking Facilities* corresponds with the Official Plan policy noted above, and Policy 3 further species the provision of direct pedestrian connections to rapid transit stations, bus stops and other major walking destinations.

As described above, the policies of the Official Plan and Transportation Master Plan do not require a sidewalk along one side of a local road unless that road is serviced by transit or leads to a major destination. There is a neighbourhood park at the intersection of Madrid Avenue and Andora Avenue, which can be considered a local destination, and would be better served by the provision of a sidewalk on Madrid Avenue. In addition, Section 9 of the South Nepean Urban Area Secondary Plan states that where there is a conflict between the Secondary Plan and the parent Official Plan, the policies of the Secondary Plan shall apply.

Staff have considered the site-specific circumstances and recognize that, while sidewalks serve as vital connections along certain local roads that link important destinations, serve transit, or have moderate traffic volumes, other local roads with low traffic volumes that don't provide an important link between homes and a particular destination may not mandate the provision of sidewalks.

Despite the policies of the South Nepean Urban Area Secondary Plan, there is a case for a level of flexibility in the subject situation. Madrid Avenue, Waterlilly Way and

Kenton Avenue are short local streets which serve only the local neighbourhood and therefore have low traffic volumes. Although a sidewalk on Madrid Avenue serving the park would improve walkability for residents, it is acknowledged that the street functions adequately in the opinion of residents, and that the affected streets do not serve transit routes. Residents have lived in the subdivision for three years without the subject sidewalks, and no safety issues have arisen during that time. Both the Ward Councillor and the majority of residents favour the current situation, without provision of sidewalks. The vacant lands on the south side of Waterlilly Way will be developed for residential purposes in the future, and there would be the opportunity to require a sidewalk on the south side of that street if a need is identified at that time. It should be noted that staff did receive two comments in opposition to the deletion of sidewalks, citing concern about safety of children for school bus pick-up and accessing the park.

In conclusion, given that the Ward Councillor and majority of residents are satisfied with the current situation, and that there is the opportunity for provision of a sidewalk on the south side of Waterlilly Way in the future, staff do not object to the deletion of the subject sidewalks in this particular situation.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

Notice of this application was carried out in accordance with Council-approved policies for public notification. Details of Public Consultation are included on Document 3.

COMMENTS BY THE WARD COUNCILLOR

Councillor Harder supports the requested Official Plan Amendment.

LEGAL IMPLICATIONS

There are no direct legal implications associated with this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with the recommendation in this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

The absence of sidewalks on Madrid Avenue, Waterlilly Way and Kenton Avenue will have an impact on accessibility and safety for seniors and people with disabilities in the neighbourhood. Without provision of sidewalks, there will be no separation of pedestrians, strollers and wheelchairs from the path of vehicular traffic.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

TECHNOLOGY IMPLICATIONS

There are no technology implications associated with this report.

TERM OF COUNCIL PRIORITIES

There is no impact on Term of Council Priorities.

APPLICATION PROCESS TIMELINE STATUS

This application was processed by the "On Time Decision Date" established for the processing of Official Plan amendment applications.

SUPPORTING DOCUMENTATION

Document 1 Location Map
Document 2 Official Plan Amendment
Document 3 Consultation Details

DISPOSITION

City Clerk and Solicitor Department, Legislative Services to notify the owner, applicant, OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5, Ghislain Lamarche, Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76) of City Council's decision.

Planning and Growth Management to prepare the implementing by-law, forward to Legal Services and undertake the statutory notification.

Legal Services to forward the implementing by-law to City Council



Produced by Infrastructure Services and Community Sustainability,
Planning and Infrastructure Approvals Branch,
Development Approvals West/Central Division Mapping and Graphics



Services d'infrastructure et Viabilité des collectivités,
Direction de l'approbation des demandes
d'aménagement et d'infrastructure, Division de l'approbation
des demandes d'aménagement, Ouest-Centre Cartographie/Graphiques

D01-01-12-0004 12-0642

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Scale - N.T.S. / Echelle N.A.E.

**LOCATION MAP / PLAN DE RÉVISION
OFFICIAL PLAN AMENDMENT / MODIFICATION AU PLAN OFFICIEL**

**— REMOVE REQUIREMENT FOR SIDEWALKS ON THREE LOCAL STREETS /
RETIRER L'EXIGENCE EN MATIÈRE DE TROTTOIR POUR TROIS RUES LOCALES**

OFFICIAL PLAN AMENDMENT

DOCUMENT 2

Official Plan Amendment XX/Modifications du Plan directeur

To the Official Plan of the City of Ottawa

OFFICIAL PLAN AMENDMENT

AMENDMENT No. ____ TO THE CITY OF OTTAWA OFFICIAL PLAN

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COMPONENTS

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COMPONENTS

PART A - THE PREAMBLE does not constitute part of this amendment.

PART B - THE AMENDMENT, consisting of the following text constitutes Amendment No. XX to the City of Ottawa Official Plan.

PART A - THE PREAMBLE

1.0 PURPOSE

The purpose of this Official Plan Amendment is to amend the policies of the South Nepean Urban Area Secondary Plan - Area 8 contained in Volume 2A of the City of Ottawa Official Plan for lands located on Madrid Avenue, Waterlilly Way and Kenton Avenue. Specifically the proposal is to amend Policy 2 of Section 5.3, *Pedestrians and Bicycles*, to allow for the deletion of the requirement for provision of a sidewalk on one side of the three local streets.

2.0 LOCATION

The subject lands consist of three local streets located within the South Nepean Urban Area community of Barrhaven. The subject lands comprise the south side of Madrid Avenue, the north side of Waterlilly Way and the east side of Kenton Avenue.

3.0 BASIS

Background

The subject lands are located within the Barrhaven Mews development, south of Strandherd Drive, and west of Greenbank Road, in the Barrhaven community. The subdivision was developed by Mattamy Homes in 2009 and contains a total of 212 freehold townhouse units on public streets, with a mix of street townhomes, back-to-back townhomes and rear lane townhomes. Surrounding land uses are as follows: to the north of Strandherd Drive is a mix of residential and institutional uses; to the west and south is vacant land; and to the east are a stormwater management pond and a commercial plaza. The subject amendment specifically affects lands on the north side of Waterlilly Way, the east side of Kenton Avenue and the south side of Madrid Avenue.

The purpose of the Official Plan Amendment is to amend the South Nepean Urban Area Secondary Plan to delete the requirement for sidewalks on one side of three local streets: the south side of Madrid Avenue, the north side of Waterlilly Way and the east side of Kenton Avenue.

Barrhaven Mews is located within Area 8 of the South Nepean Urban Area Secondary Plan. Policies in the South Nepean Urban Area Secondary Plan require that pedestrian sidewalks be provided on at least one side of all local roads: Specifically, Policy 2 of Section 5.3 *Pedestrians and Bicycles* specifies that "Pedestrian sidewalks shall be provided on at least one side of all local roads."

The approved Plan of Subdivision and Site Plan for the Barrhaven Mews development proposed a sidewalk on the south side of Madrid Avenue, the north side of Waterlilly Way, and the east side of Kenton Avenue, which are all local streets with a 16.5 metre right-of-way and shallow front yard setbacks. The subject sidewalks have not been constructed by the developer, at the request of the Ward Councillor.

In 2009, Councillor Harder requested that the developer cease construction of the proposed sidewalks, due to concerns with respect to the impact of a sidewalk on the use of vehicular driveways in new suburban developments. The Councillor's concerns were shared by some residents of Barrhaven mews, including a group of residents who signed letters in support of stopping the installation of sidewalks. The primary issue was that the installation of a sidewalk would not allow sufficient driveway length to park more than one vehicle between the garage and the rear edge of the sidewalk.

Planning staff prepared a report received by Planning Committee on October 25, 2011, concluding that sidewalks are important in forming vital links for pedestrian movement, but are not required on certain local roads, including streets that are P-loops, have low traffic volumes or do not provide an important link between homes and a particular destination. The staff report noted that in the future, the matter of the location of sidewalks would continue to be resolved through the examination of the need for sidewalks and discussion with staff, proponent and Ward Councillor.

Further to this issue, on January 10, 2012, Planning Committee directed staff to bring forward a Secondary Official Plan Amendment, in accordance with the required public process, to provide for the deletion of the requirement for a sidewalk on Madrid Avenue, Waterlilly Way and Kenton Avenue."

Rationale

The Secondary Plan amendment requests a modification to Section 5.3, *Pedestrians and Bicycles*, to delete the requirement for sidewalks on one side of three local streets: the south side of Madrid Avenue, the north side of Waterlilly Way and the east side of Kenton Avenue.

The requested amendment was evaluated in light of current general and specific guiding planning policies. Policy 2 of Section 5.3 of the South Nepean Urban Area Secondary Plan requires that pedestrian sidewalks be provided on at least one side of all local roads.

In addition, Section 5.1 *Road Network* of the Secondary Plan states that "The policies of Ottawa Official Plan, Sections 2.3 and 4.3 shall apply to all roads." Policy 9 of Section 4.3 *Walking, Cycling, Transit, Roads and Parking Lots* states that the City shall require provision of a sidewalk or multi-use pathway on at least one side of all roads in the urban area that serve transit. The City's Transportation Master Plan also addresses pedestrian facilities as follows: Policy 2 of Section 4.2 *Walking Facilities* corresponds with the Official Plan policy noted above, and Policy 3 further specifies the provision of direct pedestrian connections to rapid transit stations, bus stops and other major walking destinations.

As described above, the policies of the Official Plan and Transportation Master Plan do not require a sidewalk along one side of a local road unless that road is serviced by transit or leads to a major destination. However, Section 9 of the South Nepean Urban Area Secondary Plan states that where there is a conflict between the Secondary Plan and the parent Official Plan, the policies of the Secondary Plan shall apply.

The requested amendment was evaluated in light of current general and specific guiding planning policies. Policy 2 of Section 5.3 of the South Nepean Urban Area Secondary Plan requires that pedestrian sidewalks be provided on at least one side of all local roads.

In addition, Section 5.1 *Road Network* of the Secondary Plan states that “The policies of Ottawa Official Plan, Sections 2.3 and 4.3 shall apply to all roads.” Policy 9 of Section 4.3 *Walking, Cycling, Transit, Roads and Parking Lots* states that the City shall require provision of a sidewalk or multi-use pathway on at least one side of all roads in the urban area that serve transit. The City’s Transportation Master Plan also addresses pedestrian facilities as follows: Policy 2 of Section 4.2 *Walking Facilities* corresponds with the Official Plan policy noted above, and Policy 3 further specifies the provision of direct pedestrian connections to rapid transit stations, bus stops and other major walking destinations.

As described above, the policies of the Official Plan and Transportation Master Plan do not require a sidewalk along one side of a local road unless that road is serviced by transit or leads to a major destination. There is a neighbourhood park at the intersection of Madrid Avenue and Andora Avenue, which can be considered a local destination, and would be better served by the provision of a sidewalk on Madrid Avenue. In addition, Section 9 of the South Nepean Urban Area Secondary Plan states that where there is a conflict between the Secondary Plan and the parent Official Plan, the policies of the Secondary Plan shall apply.

Staff have considered the site-specific circumstances and recognize that, while sidewalks serve as vital connections along certain local roads that link important destinations, serve transit, or have moderate traffic volumes, other local roads with low traffic volumes that don’t provide an important link between homes and a particular destination may not warrant sidewalks.

Despite the policies of the South Nepean Urban Area Secondary Plan, there is a case for a level of flexibility in the subject situation. Madrid Avenue, Waterlilly Way and Kenton Avenue are short local streets which serve only the local neighbourhood and therefore have low traffic volumes. Although a sidewalk on Madrid Avenue serving the park would improve walkability for residents, it is acknowledged that the street functions adequately in the opinion of residents, and that the affected streets do not serve transit routes. Residents have lived in the subdivision for three years without the subject sidewalks, and no safety issues have arisen during that time. Both the Ward Councillor and the majority of residents favour the current situation, without provision of sidewalks. The vacant lands on the south side of Waterlilly Way will be developed for residential purposes in the future, and there would be the opportunity to require a sidewalk on the south side of that street if a need is identified at that time.

In conclusion, given that the Ward Councillor and majority of residents are satisfied with the current situation, and that there is the opportunity for provision of a sidewalk on the south side of Waterlilly Way in the future, staff do not object to the deletion of the subject sidewalks in this particular situation.

PART B - THE AMENDMENT

1. INTRODUCTION

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

2. DETAILS

That the South Nepean Urban Area Secondary Plan - Area 8 in Volume 2A of City of Ottawa Official Plan is hereby amended as follows:

1. Section 5.3 is hereby amended by adding the following new policy at the end of Subsection 5.3:

“Notwithstanding Policy 2 of this subsection, there shall be no sidewalk required on the south side of Madrid Avenue, the north side of Waterlilly Way and the east side of Kenton Avenue.”

3. IMPLEMENTATION

The implementation of this Amendment to the Official Plan document shall be in accordance with the respective policies of the Official Plan for the City of Ottawa.

CONSULTATION DETAILS

DOCUMENT 3

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for an Official Plan amendment.

Staff received eight written comments from the public in support of the Official Plan Amendment to delete the sidewalks and two comments in opposition to the Official Plan Amendment.

SUMMARY OF PUBLIC INPUT**Comments in Support**

Comment: Installation of sidewalks would have a detrimental impact on the appearance of the subdivision, by reducing the amount of grassed/landscaped area in the front yards.

Comment: Installation of sidewalks would reduce the length of driveway that is available for parking. This would result in more on-street parking by both residents and visitors.

Response: Sufficient landscaped space is available in the front yard of all townhouse units. All driveways on the affected streets would provide sufficient space for one parking space in front of the garage, even if a sidewalk were provided.

Comments in Opposition

Comment: Because Madrid Avenue will likely be a school bus route for this subdivision, OCDSB has safety concerns for students at pick-up and drop-off time if no sidewalks are provided.

Comment: The safety of children walking to the neighbourhood park on Andora Avenue is a concern if sidewalks are not provided.

Response: Staff are in agreement that safety and accessibility would be reduced if sidewalks are not provided, due to increased potential for pedestrian/vehicle conflicts.

Comment: All homes would still have space to park two cars, even if a sidewalk were provided: one in the attached garage and the other in the driveway.

Response: Staff are in agreement that driveways would provide sufficient space for parking, even if a sidewalk were installed.