

5. ZONING – 99 GREENFIELD AVENUE
ZONAGE – 99, AVENUE GREENFIELD

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 to change the zoning of 99 Greenfield Avenue from Residential Fourth Density, Subzone M, Exception 838, Schedule 197 (R4M[838] S197) to Residential Fourth Density, Subzone M, with an Exception (R4M[xxxx]), as detailed in Document 3, to permit a four-storey apartment building.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant à faire passer la désignation de zonage de la propriété située au 99, avenue Greenfield de Zone résidentielle de densité 4, sous-zone M, exception 838, annexe 197 (R4M[838] S197) à Zone résidentielle de densité 4, sous-zone M, avec une exception (R4M[xxxx]), comme le précise le document 3, afin de permettre un immeuble d'habitation de quatre étages.

DOCUMENTATION / DOCUMENTATION

1. Deputy City Manager's report, Planning and Infrastructure, dated 9 January 2014 (ACS2014-PAI-PGM-0020).

Rapport de la directrice municipale adjointe, Urbanisme et Infrastructure, daté le 9 janvier 2014 (ACS2014-PAI-PGM-0020).

2. Extract of Draft Minute, 28 January 2014 (follows English version of report).

Extrait de l'ébauche du procès-verbal, le 28 janvier 2014 (suit la version française du rapport).

Report to/Rapport au :

Planning Committee
Comité de l'urbanisme

and Council / et au Conseil

January 9, 2014
9 janvier 2014

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

Contact Person / Personne ressource: *Michael Mizzi, Chief/Chef, Development Review Services / Services d'Examen des projets d'aménagement, Planning and Growth Management/Urbanisme et Gestion de la croissance*
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CAPITAL (17) / CAPITALE (17)

Ref N°: ACS2014-PAI-PGM-0020

SUBJECT: ZONING – 99 GREENFIELD AVENUE

OBJET : ZONAGE – 99, AVENUE GREENFIELD

REPORT RECOMMENDATION

That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 to change the zoning of 99 Greenfield Avenue from Residential Fourth Density, Subzone M, Exception 838, Schedule 197 (R4M[838] S197) to Residential Fourth Density, Subzone M, with an Exception (R4M[xxxx]), as detailed in Document 3, to permit a four-storey apartment building.

RECOMMANDATION DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 visant à faire passer la désignation de zonage de la propriété située au 99, avenue Greenfield de Zone résidentielle de densité 4, sous-zone M, exception 838, annexe 197 (R4M[838] S197) à Zone résidentielle de densité 4, sous-zone M, avec une exception (R4M[xxxx]), comme le précise le document 3, afin de permettre un immeuble d'habitation de quatre étages.

BACKGROUND

The site is located on the north-west corner of Greenfield Avenue and Concord Street North as shown in Document 1. It is east of the Rideau Canal, west of Highway 417, and south of the University of Ottawa. It was formerly the location of the Royal Canadian Legion, Strathcona Branch 595. The area is comprised of a mix of low-profile housing types ranging from single detached dwellings to multi-unit townhouse developments. The site is adjacent to a freehold condominium development, commonly referred to as King's Landing, which is comprised of 60, three-storey, townhomes served by a private driveway.

In December 2011, the owner filed to have the abutting untravelled road allowance closed and dedicated to the lands. The application was approved and the road allowance land was purchased by the owner and now forms part of the site.

The site has a total land area of approximately 464 square metres and frontage of 14.23 metres along Greenfield Avenue. It is currently zoned Residential Fourth Density, Subzone M, exception 838, Schedule 197 (R4M [838] S197), which permits a low-rise apartment building.

The applicant is proposing a minor rezoning of the property to amend required zoning performance standards in order to permit the development of an eight-unit, four-storey low-rise apartment building as shown in Document 2.

DISCUSSION

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest related to land use planning and development. The PPS promotes efficient uses of land that support development of viable liveable communities by promoting opportunities for intensification and redevelopment where there is an availability of existing infrastructure to accommodate projected needs for intensification. The subject lot is considered to be an underutilized, irregular shaped property, which is ideal for a low-rise apartment building because of its proximity to other low to medium density residential uses, passive recreational spaces, and highly travelled roads. The proposal is consistent with the Province's policy objectives for intensification.

Official Plan

Land Use Designation

The Official Plan (OP) designates the property as General Urban Area. This designation permits a full range of housing choices in order to meet the needs of a diverse population. Further, the directive of the OP is to create liveable communities that have a balance of housing forms. The proposal features a low-rise apartment building which adds to the mix of low-rise housing types in the community and is deemed to be consistent with these policies.

Urban Design and Compatibility

The City recognizes the importance of community character, and a thorough review of residential infill and intensification policies of Section 2.5.1 and Section 4.11 was applied. The proposed development is considered to fit well within the existing context where it incorporates common characteristics of surrounding development. The proposal also meets the compatibility criteria set out in Section 4.11 as follows:

Traffic: The site is a corner lot at an intersection of a major collector road and a local road. The proposal features eight parking spaces, and the potential traffic increase is deemed to be minimal.

Vehicular access: The access and egress is proposed from Concord Street North which is adjacent to the existing private way of the abutting planned unit development. The proposed parking garage is enclosed and will not generate significant noise or headlight glare upon nearby properties.

Parking requirements: The development is proposed to exceed the parking requirement of the Zoning By-law at a rate of one space per unit. Visitor parking is not required for the proposed development. Temporary on-street parking is available on Concord Street North.

Outdoor Amenity Areas: The proposed building features outdoor balconies for each unit, with additional private outdoor rooftop terraces for two units. Balconies project away from adjacent properties to minimize the potential for loss of privacy. Roof top terraces are also setback from the building edge so as not to overlook adjacent properties. The common amenity area is located in the rear yard at grade which abuts a private way, a visitor parking space for the adjacent development, and a unit driveway, and as such would not impact the liveability of adjacent residents.

Sunlight: A sun-shadow study reviewed as part of this application demonstrates that shadowing on adjacent properties, particularly outdoor amenity areas, is limited primarily to winter afternoons.

Old Ottawa East Secondary Plan and Community Design Plan

The property is designated as 'Residential Low-Rise' in the Old Ottawa East Secondary Plan and Community Design Plan (CDP). The proposal features a low-rise residential apartment building, which meets the required height and permitted use of the Zoning By-law, and is deemed to be consistent with this designation in the Secondary Plan and CDP.

Zoning By-law

Though the proposed development is a permitted use under the current zoning, several amendments to zoning performance standards are required in order to facilitate the development of this proposal.

The Zoning By-law defines the front lot line as the shortest lot line abutting a street. In this instance, the shortest lot line is 14.23 metres in length and abuts Greenfield Avenue. Given this and the irregular lot configuration, the minimum required lot width must be reduced to 14 metres, from the current requirement of 18 metres.

The minimum front yard setback is proposed to be reduced from 3 metres to 0.71 metres. Despite this proposed reduction, the width of the abutting landscaped area within the public right-of-way is approximately 4 metres. Therefore, there is no anticipated impact associated with the proposed reduced front yard setback.

The corner side yard setback is also proposed to be reduced from 3 metres to 0.32 metres because of a small extension from the wall of the building facing the corner lot line. Here again, the abutting landscaped area within the public right-of-way provides sufficient separation from the sidewalk and road so as to significantly reduce the presence of the building from the right-of-way.

The required interior yard setback for the first 21 metres back from the front lot line is 2.5 metres. The easterly interior side yard setback is proposed to be reduced to 1.52 metres. As the distance between the side of the proposed building and the side of the adjacent building is 6.09 metres, this reduction is considered acceptable. The westerly interior side yard setback is proposed to be reduced to 1.22 metres. This reduction is also considered acceptable, as this yard abuts soft landscaping and a double lane private way located on the adjacent property.

The required rear yard setback is 7.5 metres and is proposed to be reduced to 6.4 metres. Adjacent site features include a visitor parking space for the abutting development, a private way, and an abutting unit driveway. This reduction is considered acceptable as the impacts upon adjacent residential units, with respect to shadowing and/or loss of privacy, are minimal and have been mitigated where possible through building design.

Balconies and staircases are considered to be projections that are not permitted within 1 metre of a lot line. It is proposed that these features be permitted to project to within 0 metres of a lot line. Given the balconies project towards the public right-of-way, and that the staircases abut open, passive spaces, the requested reduction is considered to be reasonable.

The vehicular access features a driveway with a single door for ingress and egress. This is deemed to be a driveway intended for two-way traffic and therefore a reduction in the required driveway width to 3.45 metres is required. The driveway then narrows to 3.05 metres beneath the garage door, and a provision has been included to permit this further reduction. Given that the development proposes eight parking spaces, the potential for conflict between cars exiting and entering the parking facility will be minimal.

The proposed development meets the permitted use, required maximum height, and amenity area. Details of the recommended zoning are set out in Document 3.

Conclusion

The proposed Zoning By-law amendment addresses the OP's directive toward more efficient use of City infrastructure, intensification through compatible design with the surrounding community character, and the provision for a range of housing choices in support of a diverse population. In addition to the policies of the OP, the specific zoning provisions proposed facilitate an urban form that has mitigated the impacts upon adjacent properties and further achieved a complimentary infill development through building design.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by Council for Zoning By-law amendments. Approximately 50 comments were received as a result of the notification process. While the majority expressed concerns and opposition to the project, several responses were in favor of the project. Some stated that Community Associations and condominium corporations were not fully representing the opinions of all residents.

This proposal has been part of an ongoing discussion with the community for the past three years. Prior to filing the application, the owner and architects consulted with the community in hopes of achieving consensus on an acceptable building design.

Members of the general public were invited to the office of the architect to review the proposal and provide feedback.

A meeting with representatives from the Old Ottawa East Community Association and a few residents of King's Landing, facilitated by the Ward Councillor, took place on November 14, 2013, where the proposed design was discussed. Concerns related to the requested amendments were shared by the residents present. A summary of the comments received and staff responses to them are outlined in Document 4.

COMMENTS BY THE WARD COUNCILLOR

Councillor Chernushenko is aware of the application.

LEGAL IMPLICATIONS

Should the recommendation be adopted and the resulting by-law be appealed to the Ontario Municipal Board, it is anticipated that a two day hearing would result that could be conducted within staff resources. In the event the application is to be refused, reasons must be provided. If a refusal were to be appealed to the Ontario Municipal Board, an external planning consultant would need to be retained at an estimated cost of \$15,000 to \$20,000.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

FINANCIAL IMPLICATIONS

Potential financial implications are outlined in the above Legal Implications section. In the event that an external planner is retained, funds are not available within existing resources and the \$15,000 to \$20,000 expense would impact Planning and Growth Management's operating status.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

TECHNOLOGY IMPLICATIONS

Information Technology approved this report without comment.

TERM OF COUNCIL PRIORITIES

The staff recommendation in this report is consistent with the Term of Council priorities for supporting economic growth of the local economy and developing healthy and caring communities.

APPLICATION PROCESS TIMELINE STATUS

The application was not processed by the On Time Decision Date established for the processing of Zoning By-law amendments due to the complexity of the issues associated with the amendments and public concern with the proposal.

SUPPORTING DOCUMENTATION

Document 1 Location Map
Document 2 Proposed Site Plan and South Elevation
Document 3 Details of the Recommended Zoning
Document 4 Consultation Details

DISPOSITION

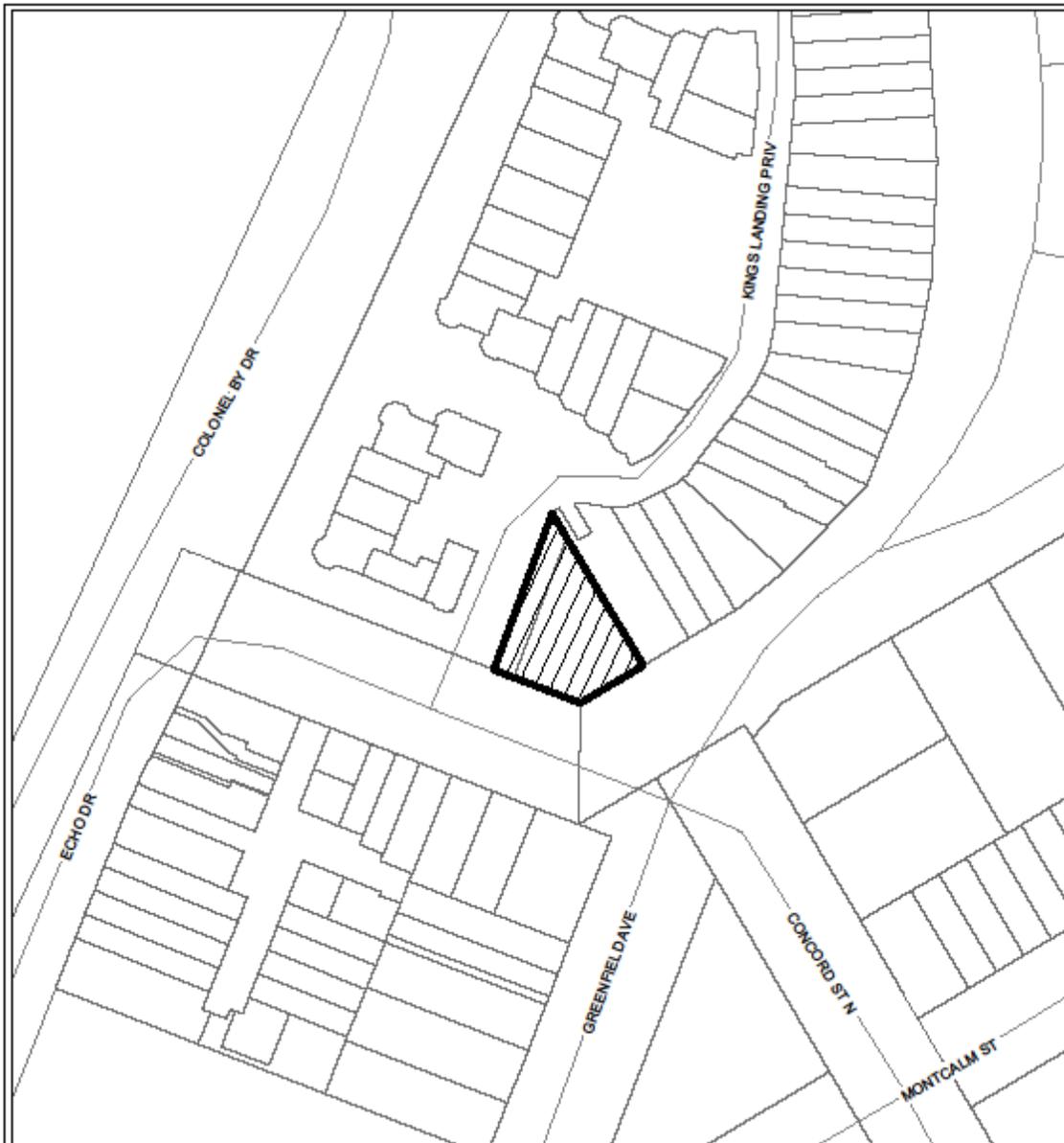
City Clerk and Solicitor Department, Legislative Services, to notify the owner, applicant, OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5 of Council's decision.

Planning and Growth Management Department 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.

LOCATION MAP

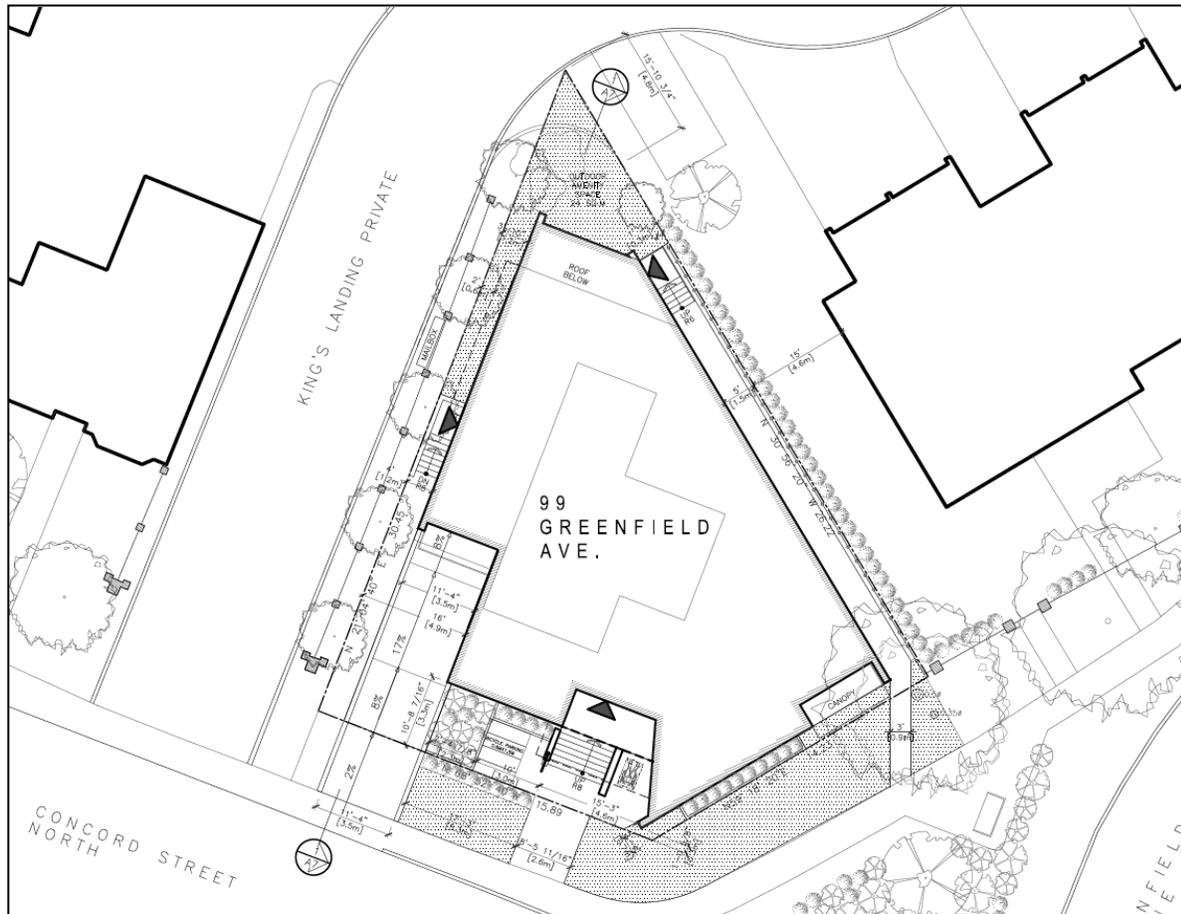
DOCUMENT 1



 Produced by Planning and Infrastructure Portfolio Produit par le Portefeuille urbanisme et infrastructure	 Location Map / Plan de révision Zoning Key Plan / Schéma de zonage 99 avenue Greenfield Avenue	Échelle N.T.S. Mètres
D02-02-13-0070	13-1344-X	
L:\COI\2013\Zoning\Greenfield_99		Scale N.T.S. Mètres
2013 / 08 / 16 REVISION DATE DE RÉVISION		
041250071 Denotes Teranet-Polaris Parcel Identification Number		

PROPOSED SITE PLAN

DOCUMENT 2



SOUTH ELEVATION



DETAILS OF RECOMMENDED ZONING

DOCUMENT 3

1. Rezone the property shown in Document 1 from Residential Fourth Density, Subzone M, Exception 838, Schedule 197 (R4M[838] S197) to Residential Fourth Density, Subzone M, Exception xxxx R4M[xxxx].
2. Add a new exception R4M[xxxx] to Section 239 – Urban Exceptions, which shall include provisions similar in effect to the following;
 - a) A minimum lot width of 14 metres
 - b) A minimum lot area of 464 square metres
 - c) A minimum front yard setback of 0.71 metres
 - d) A minimum corner side yard setback of 0.32 metres
 - e) A minimum westerly interior side yard setback of 1.22 metres
 - f) A minimum easterly interior side yard setback of 1.52 metres
 - g) A minimum rear yard setback of 6 metres
 - h) Permission for balconies and staircases to project to within 0 metres of a lot line
 - i) A minimum required width of 3.45 metres for a driveway intended for two-way traffic, which may be further reduced to 3.05 metres for a distance of 1 metre below the entrance to the parking garage
 - j) Permit an aisle to access bicycle parking spaces to be a minimum of 1 metre in width
 - k) Permit a minimum parking space length of 5.1 metres
 - l) Permit a maximum of 50 per cent of parking spaces to be a minimum of 2.4 metres in width
 - m) A minimum of 25 per cent of the lot area must be landscaped
 - n) Provision 109(12) does not apply and a corner side yard, other than areas occupied by a driveway or walkway with a maximum width of 2.6 metres, may be hard landscaping
 - o) Table 137(I)(IV) does not apply
 - p) The provisions of Exception 838 concerning an Office limited to a Diplomatic Mission continue to apply

CONSULTATION DETAILS

DOCUMENT 4

NOTIFICATION AND CONSULTATION PROCESS

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. One sign was posted facing the intersection of Greenfield Avenue and Concord Street North. Approximately fifty comments were received during the commenting period and are summarized as followed:

SUMMARY OF PUBLIC INPUT

PUBLIC COMMENTS EXPRESSING OPPOSITION OR CONCERN

1. Proposal not in keeping with the Old Ottawa East CDP with respect to heights, setback, and sidewalks.

Response:

The primary focus of the Old Ottawa East Community Design Plan and Secondary Plan is Main Street and the development of the precincts that surround it. The site is designated residential low-rise in these plans and the proposed use corresponds accordingly. The proposed height meets the existing zoning requirements, and proposed setbacks continue to ensure adequate separation between existing buildings and uses.

2. Development not matching architecture characteristics of neighbourhood.

Response:

The proposal includes using building materials and an architectural style that will complement the existing planned unit development that is adjacent to the site.

3. Parking is insufficient and the spaces are too small.

Response:

The required parking rate per the Zoning By-law is 0.5 spaces per dwelling unit. The proposal includes providing one parking space per dwelling unit, which is deemed to be sufficient for the proposed use. The width of the parking spaces is reduced from the Zoning By-law requirement for half of the provided spaces and are deemed to be a sufficient width for common-sized vehicles.

4. Parcel is too small for building (overdevelopment).

Response:

The lot is an irregular shaped lot and the proposed building is designed to frame the existing lot shape. Sufficient amenity space and soft landscaping is provided and the building proposes adequate separation between existing neighbouring buildings.

5. Building is higher than adjacent buildings.

Response:

The proposed building is located on a corner lot, at the intersection of an existing collector road and a local road. The proposed height complies with the Zoning By-law, presents an appropriate transition to adjacent buildings, and from a design perspective is ideal for a corner lot.

6. Reductions to setbacks put buildings too close to adjacent property.

Response:

The property shares lot lines with an interior side yard of an existing townhouse unit, a private way to a planned unit development, and a public right-of-way. The proposal includes a separation distance of 6 metres between buildings on the east side and approximately 3 metres to the 6.7 metre wide private way on the west side. The proposed building will not limit any future development potential of the adjacent lot given the proposed setbacks.

7. Safety hazard for visibility at Greenfield/Concord and Mann.

Response:

The proposed building will be setback, at its closest point, 11.5 metres from Greenfield Avenue and 5 metres from Concord Street North, and will not obstruct views of pedestrians or vehicles travelling on these roads.

8. Too dense for low-rise, low density neighbourhood.

Response:

The site is located adjacent to a planned unit development comprised of townhouses. Planned unit developments of similar built form are existing or proposed in proximity of the site. The development is deemed to be low-rise and low density, compatible with existing built form and density.

9. Traffic congestion on Concord Street North.

Response:

The traffic increase is expected to be minimal, given the increase of eight units.

10. Pedestrian safety at crossing.

Response:

The proposed development will not impede safe pedestrian crossing.

11. Greenspace will be reduced/limited soft landscaping.

Response:

Soft landscaping will be reviewed during site plan control and staff will ensure that it is appropriate for the size and scale of development proposed.

12. Building is out of proportion to existing buildings.

Response:

The proposed building is deemed to be a compatible built form that compliments existing buildings.

13. Fire flow requirements not met.

Response:

The fire flow requirements will be refined during the site plan process where staff will ensure that the owner install the systems necessary to ensure the adequacy of available flow.

14. Townhomes are a more compatible development, consistent with existing built form.

Response:

Townhomes, though a different use, would resemble the same scale, massing, and lot coverage as the proposed low-rise apartment building. The apartment building adds a mix to the existing residential uses available, providing choices for a diverse population.

15. King's Landing residents are concerned about the potential conflicts related to the location of their mailboxes.

Response:

The mailbox is located approximately 2 metres from the proposed building and is deemed not to be in conflict with the development.

16. Concern regarding setback to Public ROW. May be too close.

Response:

The widths of the Right-of-Ways abutting Concord Street North and Greenfield Avenue is approximately 3 metres, with an additional 10 metres provided at the corner of Greenfield Avenue and Concord Street North. Though the setbacks from the right-of-ways are proposed at less than 1 metre, separation is considered adequate given the size of the right-of-way.

17. Is not consistent with Urban Design Guidelines for low-rise infill housing.

Response:

The proposed development achieves many of the Urban Design Guidelines for Low-Rise Infill Housing as previously discussed.

18. Overlooking from terraces onto other properties.

Response:

The balconies project away from adjacent properties and towards the public right-of-way. They are proposed to be set in to discourage over look. The distance between the building and adjacent outdoor living space is over 6 metres and proposed terraces and balconies will not to intrude on privacy of adjacent residents.

19. Lack of visitor parking.

Response:

The Zoning By-law does not require visitor parking to be provided for the low-rise apartment buildings with less than 12 units. Given that the proposal includes providing parking spaces over what is required by the Zoning By-law, at one space per unit, it is possible for some spaces to be designated for visitor parking, which can be discussed at time of site plan control review. Should the provided

spaces not be designated for visitor parking, temporary on-street parking is available for visitors.

20. Location of parking garage access will provide traffic issues on to Concord Street.

Response:

The parking garage is proposed off of Concord Street North, a local road with minimal traffic flow. With only eight parking spaces, traffic generated from the proposed development is minimal and the location of the garage access should not produce conflict with traffic.

21. Site layout does not permit for sufficient emergency service response.

Response:

The proposed development fronts on to two streets, and adequate emergency service and access can be provided.

22. Existing large trees will be removed – loss of heritage.

Any distinctive tree located on the property will require a permit in order to be removed. Removal of City owned trees will also require permission. Trees to remain will also be required to have protection measures taken. Evaluation of all trees, whether those proposed to remain or be removed will be done at site plan control.

23. Engineering issues such as stormwater management and grading.

Proposed development will require on-site stormwater management and this along with grading and drainage will be evaluated at the site plan control stage.

PUBLIC COMMENTS EXPRESSING SUPPORT

1. The proposed development encourages sustainable, well planned development.
2. The proposed building is beautiful.
3. The building blends with existing architecture.
4. The proposed setbacks align with existing developments.
5. The proposed development is not visible from the King's Landing homes.
6. The developer gave consideration to plans, worked with the community, and created a workable plan for a constrained lot.
7. The proposed development will not adversely affect property values.

8. The proposed condominium is a welcome change to the community and a better development than the old legion building.
9. People move and those who oppose development won't be there for long.

November 14, 2013 - MEETING COMMENTS

At the meeting facilitated by Councillor Chernushenko, representatives of the residents of King's Landing shared a comparison between what development the residents considered could be achieved as-of-right to what is proposed by this application. The designs depicted differences in height, massing, and lot coverage.

Response:

The alternative development concept proposed by the residents does not accurately depict the fullest extent of what could be built. The as-of-right zoning requirements for a low-rise apartment and a three-unit townhouse are identical in requirements for lot width and lot area. Height is limited to 11 metres for a townhouse, whereas 14.5 metres is permitted for the low-rise apartment. Either built form could have permitted projections into required yards and above the height limit. The proposed low-rise apartment building will be setback from the interior lot lines at the same required distance for a townhouse dwelling. Given the lot shape and size, amendments or variances would be required for any of the listed permitted uses in the R4M zoning, with the exception of a single detached dwelling, duplex, or triplex, all of which have the potential of being the same height and massing, and setback from the lot lines, as the other permitted uses. A low-rise apartment which is a permitted use will provide for a mix of built form to accommodate different lifestyles.

COMMUNITY ORGANIZATION COMMENTS

Old Ottawa East Community Association

The proposal suggests over development of the site, which will damage the enjoyment of neighbouring properties and damage the credibility of the City's planning mechanisms, in exchange for slight intensification. In addition, the supporting documentation provided is insufficient to thoroughly evaluate the proposal and its impact.

Response:

The applicant provided detailed elevations which shows views from the public space, and views from within the adjacent planned unit development. The proposed development is deemed to be compatible with adjacent developments and details of the proposed elevations will be fine tuned during the site plan process.