

Report to/Rapport au :

**Planning Committee
Comité de l'urbanisme**

and Council / et au Conseil

**December 12, 2012
12 décembre 2012**

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

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Kitchissippi (15)

Ref N°: ACS2013-PAI-PGM-0020

SUBJECT: ZONING – 131, 135 AND 137 HOLLAND AVENUE

OBJET : ZONAGE – 131, 135 ET 137, AVENUE HOLLAND

REPORT RECOMMENDATION

That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 to revise the zoning of 131, 135 and 137 Holland Avenue, shown in Document 1 and zoned GM [1590] F(3.86) S245, by amending Exception [1590] to remove "bank", "catering establishment", "place of assembly", "recreational and athletic facility" and "restaurant" from the list of prohibited uses, to add "school" to the list of permitted uses; and to change the minimum number of required parking spaces for non-residential uses to zero, as detailed in Document 2.

RECOMMANDATION DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 visant à réviser le zonage des 131, 135 et 137, avenue Holland, montrés dans le document 1 et zonés GM [1590] F(3.86) S245, et consistant à modifier l'exception [1590] de manière à enlever « banque », « établissement de traiteur », « lieu de rassemblement », « installation récréative et sportive » et « restaurant » de la liste des utilisations interdites, à ajouter « école » à celle des utilisations permises et à établir à zéro le nombre minimal de places de stationnement requises à des fins non résidentielles, comme le précise le document 2.

BACKGROUND

The subject property is located at 131, 135 and 137 Holland Avenue. The subject property is located on the east side of Holland Avenue, south of Wellington Street. South of the subject property is an area generally characterized by low-profile residential and commercial buildings. Immediately north of the subject property is Wellington Street West, which represents the main retail and service corridor for residents in the community. Building form and heights range from one-storey single-use retail to medium-rise office to high-rise apartments. Great Canadian Theatre Company's 10-storey building is a recently built mixed-use development located at the north-east corner of Wellington Street West and Holland Avenue.

The subject property is comprised of three separate parcels of lots with an approximate area of 1,545 square metres. An eight storey apartment tower with a 214 metre square retail space at grade, approved in 2009, is currently under construction on the subject property. Currently, there is a limited range of commercial uses permitted at grade.

Existing Zoning

The subject property is currently zoned General Mixed-Use, Exception 1590, Floor Space Index 3.86, Schedule 245. The purpose of the General Mixed-Use zone is to allow residential, commercial and institutional uses in the General Urban Area, limit commercial uses to individual occupancies or small groupings and to impose development standards that will ensure that the uses are compatible and complement surrounding land uses. The exception related to the uses was put into place as a result of the Wellington Street study prepared in 1999; the intention was to concentrate the commercial development onto Wellington Street and not the adjacent residential area. Schedule 245 was put in place to impose a maximum building height limit on the subject property.

Purpose of Zoning Amendment

The proposed Zoning By-law amendment is to revise the provisions for Exception 1590 to remove "bank", "catering establishment", "place of assembly", "recreational and athletic facility" and "restaurant" from the list of prohibited uses; to add "school" to the list of permitted uses; and to change the minimum number of required parking spaces for non-residential uses to zero, as detailed in Document 2.

DISCUSSION

Official Plan Considerations

Strategic Direction (Section 2)

Section 2 of the Official Plan sets broad strategic directions to meet the challenge of managing growth, providing infrastructure, maintaining environmental integrity and creating liveable communities within Ottawa. To meet these challenges, policies are set out to pursue a mix of land uses, housing types and compact forms of development

which in turn will enable the City to support a high-quality transit system and make better use of existing infrastructure and roads.

The strategic direction of the Official Plan supports complete and mixed-use communities. The City encourages compatible and pedestrian oriented mixed-use developments particularly in and around the Mixed-Use Centres and Mainstreets that have a great potential for growth. The proposed additions of commercial and institutional uses are located just south of the Wellington Traditional Mainstreet Zone, in proximity to existing network of retail and service uses, as well as public transportation.

Transportation (Section 2.3.1)

The strategic direction of the Official Plan encourages land-use patterns that reduce the need to travel great distances across the city and encourage alternatives to car travel. More compact and mixed-use development throughout developing areas of the city and a stronger series of urban centres to anchor the transit system is essential to achieving the Plan's transportation goals.

A transportation system should emphasize both mobility and accessibility. The addition of commercial and institutional uses improves accessibility by bringing people closer to their destinations and making it easier for people to reach jobs, services, education and recreation. The site is also located within 600 metres of Tunney's Pasture transit station.

Land Use Designation (Section 3.6.6)

The subject property is designated "General Urban Area" on Schedule B of the Official Plan. Throughout the General Urban Area, the City will encourage the provision of a variety of small, locally-oriented convenience and service uses that complement adjacent residential land uses, and are of a size and scale consistent with the needs of nearby residential areas. The proposed additional uses are of a size and scale that will not result in the attraction of large volume of vehicle traffic outside the immediate area. Located at the edge of the community, the proposed addition of uses will have limited impact on the established residential neighbourhood.

Wellington Street West Community Design Plan

The Wellington Street West Community Design Plan recognizes the importance of and encourages sustainable mixed-use opportunities within the focus area given that there is a good transition between the more commercial intensive uses to the surrounding residential uses. The subject property is located immediately adjacent to the focus area. The scale of the proposed addition of uses respect the characteristics of the neighbourhood and provide a transition between the Wellington mainstreet and the established residential neighbourhood.

Parking

The current zoning on the site has an exemption from required parking provision for a retail store. With a gfa of 214m², this exemption is equal to five parking spaces. In light of the current provision allowing that no parking be required for a retail store use,

the fact that the site is within 600 metre of a transit station and adjacent to a traditional mainstreet with direct access for pedestrians and cyclists, the Department is recommending that relief from the requirement to provide parking spaces for all permitted non-residential uses. The effect of this would be to reduce the number of required parking spaces for a non-residential to zero.

Conclusion

The Department is satisfied that the objectives set out in the Official Plan, related to the strategic directions for mixed-use developments and neighbourhood compatibility are being met. The proposed additional uses are of a size and scale that is compatible with the surrounding uses and are located adjacent to the Wellington Street traditional mainstreet with direct access for pedestrians and cyclists from adjacent residential areas. In light of the discussion above, the Department recommends approval of the Zoning By-law amendment application.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

Notice of this application was carried out in accordance with the City's Public Notification and Consultation Policy. Four public comments were received. A summary of comments and staff's response can be found in Document 2.

COMMENTS BY THE WARD COUNCILLOR

The Ward Councillor is aware of the application and the staff recommendation.

LEGAL IMPLICATIONS

If this matter is appealed to the Ontario Municipal Board, it is anticipated that a two day hearing would result. Should the recommendation be adopted, the hearing could be conducted within staff resources. If the application is refused, reasons must be provided and in the event of an appeal, it would be necessary to retain an external planner and possibly a transportation consultant to speak to the issue of parking. The costs would range from approximately \$15,000 (planner only) to \$35,000 if a transportation consultant is required.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

FINANCIAL IMPLICATIONS

If the amendment is carried and an appeal is brought before the Ontario Municipal Board, the hearing would be conducted within staff resources. In the event the

amendment is not carried and an appeal is launched, an external planner and possibly a transportation consultant would need to be retained at an estimated cost of \$15,000 (planner only) to \$35,000 (planner and transportation consultant). Funds are not available from within existing resources and the 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

There are no technology implications associated with this report.

TERM OF COUNCIL PRIORITIES

C3 – Provide a compelling vibrant destination
GP3- Making Sustainable Choices

APPLICATION PROCESS TIMELINE STATUS

This application was processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications.

SUPPORTING DOCUMENTATION

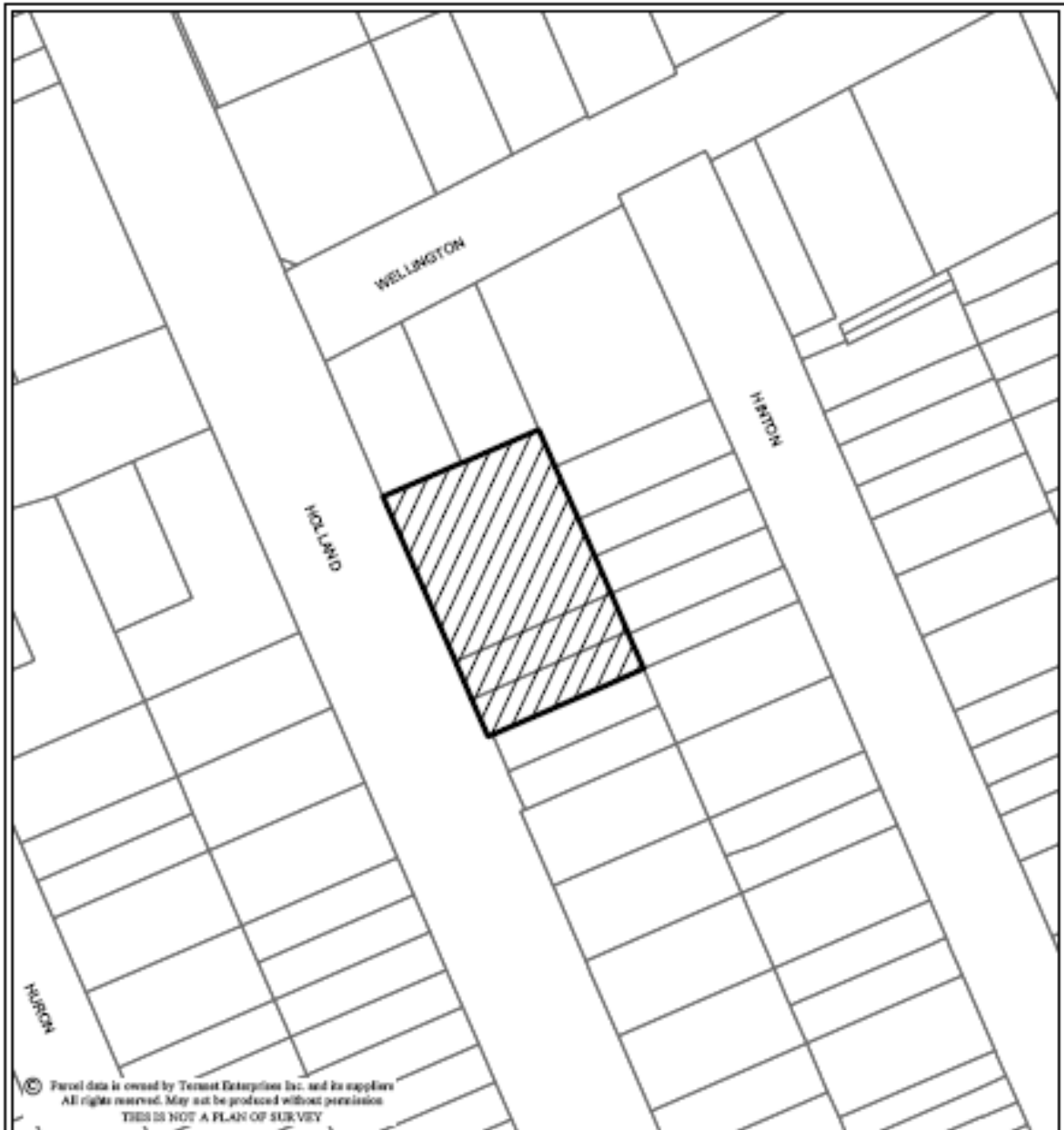
Document 1 Location Map
Document 2 Details of Recommended Zoning
Document 3 Consultation Details

DISPOSITION

City Clerk and Solicitor Department, legislative Services to notify the owner, applicant, OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5 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.



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D02-02-12-0102	12-1434-X
ENC02012ZONINGHOLLAND_131_135_137	
2012 / 10 / 11	
REVISION DATE	DE RÉVISION

 **Location Map / Plan de révision**
Zoning Key Plan / Schéma de zonage
131, 135, 137 Holland Avenue

040350193 Denotes Terast-Polaris Parcel Identification Number

Echelle
 N.T.S.
 Mètres



Scale
 N.T.S.
 Mètres

DETAILS OF RECOMMENDED ZONING

DOCUMENT 2

Proposed Changes to the Comprehensive Zoning By-law

The proposed Zoning By-law Amendment is to revise the provisions for Exception 1590 to remove "bank", "catering establishment", "place of assembly", "recreational and athletic facility" and "restaurant" from the list of prohibited uses; to add "school" to the list of permitted uses, and to change the minimum number of required parking spaces for non-residential uses to zero:

1. Revise Exception 1590:
 - a. In Column III, add:
school
 - b. In Column IV, remove:
bank
catering establishment
place of assembly
recreational and athletic facility
restaurant
 - c. In Column V, remove:
“- a restaurant accessory or ancillary to a permitted commercial use is permitted”
 - d. In Column V, add:
“- minimum number of required parking spaces for non-residential uses be zero”

CONSULTATION DETAILS

DOCUMENT 3

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.

PUBLIC COMMENTS

1. I object the Zoning By-law Amendment Proposal. This objection is based on the information posted on City of Ottawa web site which states that the reason for the change is to increase the marketability of the property.

Restrictions on the proposed site were put into the book in early 90's. Many reasons were given out during the consultation process at the time when these original restrictions were proposed. Reasons included parking accessibility, excess garbage and smell, increased exhaust, increase in traffic and noise.

My issue is that there is no evidence that these reasons were addressed by the applicant in the current proposal.

With this being said, please register my objection to this application.

I will provide more details to my objection after I have reviewed my notes.

I want to be notified of any public meeting that may be held where this proposal will be discussed.

2. I am writing to you further to the invitation to comment on the proposal to amend the provisions for Exception 1590 in the zoning bylaw for the above address.

Holland avenue at Wellington is largely residential and the commercial properties that exist (optometrist, dentist...) are quiet and housed in small buildings. The overflow traffic from Parkdale Avenue onto Holland Avenue is already an issue in terms of noise, and the speeding city buses shake property foundations in the early and late hours of the day.

In the last year, I was shocked to see that an eight-storey condo unit was approved for construction across the street from my property. City Council had allowed the building of yet another gargantuan condo unit, reminiscent of downtown Toronto, in our little Wellington Village. Surely 2 condo units at one intersection of Holland-Wellington was not enough. Now car traffic is backed up every day. The shaking and noise has been deafening while speeding cars go unchecked through the construction zone.

The City now proposes an amendment to the bylaw to allow "bank, catering establishment, place of assembly, recreational facility and restaurant" become

part of the landscape. Where may I ask will these customers park -- on my lawn? I suggest we say no to the amendment, which surely was put in place for a reason. Maintaining the peace and quiet in our "village" neighborhood should be our priority.

In summary I object to the amendment of Exception 1590 due to the following concerns:

- a. Holland avenue cannot accommodate high traffic businesses such as the ones proposed
- b. Holland avenue cannot increase parking availability
- c. Holland avenue is a residential area – it is not a shopping mall corridor or a bar/restaurant hangout
- d. Air pollution due to more car traffic
- e. Noise pollution due to late night bars/restaurants and car traffic
- f. Dust / dirt due to more car traffic
- g. Shaking/trembling of residence foundations due to more car traffic
- h. More bus traffic that will increase the above

STAFF RESPONSE TO PUBLIC INPUT

Increase in Traffic

The proposed changes to 131, 135 and 137 Holland will not generate a significant increase in traffic. Based on the Transportation Overview prepared by Delcan, it is concluded that the net increase in two-way site-generated traffic is low in volume (one vehicle every two to four minutes) and will have no impact on area traffic operations.

Insufficient Parking

One of the City's main objectives is to reduce dependence on the car. This site is within 600m of a transit station and adjacent to a Wellington Street, a traditional mainstreet, which provides easy access for pedestrians and cyclists. By reducing the requirement for parking, we are encouraging the use of alternate modes of transportation.

COMMUNITY ORGANIZATION COMMENTS

Hintonburg Community Association

The Hintonburg Community Association has reviewed the application for a Zoning By-law amendment for 131, 135 and 137 Holland Avenue in order to permit additional uses in the existing commercial space, with no additional parking.

We do not oppose this proposal. The restricted uses on Holland Avenue were a result of a study done in 1999-2000 when Wellington Street was not as vibrant as it is now and it was felt that most retail and commercial uses should be directed to the main street.

It is our understanding that the size of the commercial space (214 m² or 2300 ft.²) is not changing; thus, the impact of the reduced parking already granted is not likely to change.