

**10. ZONING BY-LAW AMENDMENT – 107 AND 109 ARMSTRONG STREET AND  
71 AND 73 MERTON STREET**

**MODIFICATION AU RÈGLEMENT DE ZONAGE – 107 ET 109, RUE  
ARMSTRONG ET 71 ET 73 RUE MERTON**

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for 107 and 109 Armstrong Street and 71 and 73 Merton Street to permit a one lot for Zoning By-law purposes provision be added to the existing zone, as detailed in Document 2 - Details of Recommended Zoning.**

**RECOMMANDATION DU COMITÉ**

**Que le Conseil approuve une modification au Règlement de zonage (2008-250) pour le 107 et 109, rue Armstrong et 71 et 73 rue Merton afin de permettre l'ajout d'une disposition visant la zone actuelle et selon laquelle le site constitue « un seul et même lot pour les besoins du Règlement de zonage », comme l'indique le Document 2 – Détails du zonage recommandé.**

**DOCUMENTATION / DOCUMENTATION**

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated June 11, 2018 (ACS2018-PIE-PS-0070)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 11 juin 2018 (ACS2018-PIE-PS-0070)

2. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of 29 August 2018, in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to Bill

73 'Explanation Requirements' at the City Council meeting of 11 July 2018".

Résumé des observations écrites et orales à distribuer séparément avec l'ordre du jour de la réunion du 29 août 2018 du Conseil, dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes du projet de loi 73, à la réunion du Conseil municipal prévue le 11 juillet 2018 ».

**Report to  
Rapport au:**

**Planning Committee / Comité de l'urbanisme  
June 26, 2018 / 26 juin 2018**

**and Council / et au Conseil  
July 11, 2018 / 11 juillet 2018**

**Submitted on June 11, 2018  
Soumis le 11 juin 2018**

**Submitted by  
Soumis par:**

**Lee Ann Snedden,  
Director / Directrice,**

**Planning Services / Service de la planification**

**Planning, Infrastructure and Economic Development Department / Services de la  
planification, de l'infrastructure et du développement économique**

**Contact Person / Personne ressource:**

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demandes d'aménagement urbains**

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**Ward: KITCHISSIPPI (15)**

**File Number: ACS2018-PIE-PS-0070**

**SUBJECT: Zoning By-law Amendment – 107 and 109 Armstrong Street and  
71 and 73 Merton Street**

**OBJET: Modification au Règlement de zonage – 107 et 109, rue Armstrong et  
71 et 73 rue Merton**

## **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to  
Zoning By-law 2008-250 for 107 and 109 Armstrong Street and 71 and 73  
Merton Street to permit a one lot for Zoning By-law purposes provision be**

added to the existing zone, as detailed in Document 2 - Details of Recommended Zoning.

2. That Planning Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the City Clerk and Solicitor's Office and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements' at the City Council Meeting of July 11, 2018" subject to submissions received between the publication of this report and the time of Council's decision.

#### RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage (2008-250) pour le 107 et 109, rue Armstrong et 71 et 73 rue Merton afin de permettre l'ajout d'une disposition visant la zone actuelle et selon laquelle le site constitue « un seul et même lot pour les besoins du Règlement de zonage », comme l'indique le Document 2 – Détails du zonage recommandé.
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et de l'avocat général et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes du projet de loi 73 , à la réunion du Conseil municipal prévue le 11 juillet 2018 » à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

#### BACKGROUND

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

**Site location**

107 and 109 Armstrong Street and 71 and 73 Merton Street

**Owner and Applicant**

Sherbrooke Dwellings Ltd.

**Architect**

Rosaline J. Hill Architect Inc.

**Description of site and surroundings**

The site is located in the Hintonburg neighbourhood at the intersection of Armstrong Street and Merton Street, as shown in Document 1 – Zoning By-law Amendment Location Map. The site is an irregular shape and is a corner lot with frontage on two streets. It has approximately 20 metres of frontage along Armstrong Street and 36 metres of frontage along Merton Street. The site is approximately 408 square metres.

The site is currently being redeveloped to contain a three-storey four-unit low-rise apartment dwelling. A wide variety of residential development from single detached to low-rise apartment buildings encompass the Hintonburg area to the north, east, and west. To the south, along Wellington Street, there are a mix of uses such as mid- and high-rise apartments, commercial, and institutional.

**Summary of requested Zoning By-law Amendment proposal**

A Zoning By-law Amendment is proposed for 107 and 109 Armstrong Street and 71 and 73 Merton Street. The property is zoned R4H[2249]-c – Residential Fourth Density, Subzone H, Exception 2249, Neighbourhood Commercial Suffix. The requested zoning proposes to add a site-specific exception XXXX to add a “one lot for zoning purposes” provision. There are no other changes proposed to the existing zone. The recommended amendment will allow the owner to create parcels for individual ownership while having the overall property to remain zoning compliant.

**Brief history of proposal**

On May 12, 2017, Planning Services approved a Site Plan Control application to permit a three-storey, four-unit low-rise apartment dwelling. The subject property is currently being redeveloped accordingly. Due to the overlap of units the development is

considered a low-rise apartment building but from the street will have the appearance of townhouse units, with two units facing Armstrong Street and the other two facing Merton Street. There is a shared common amenity area for the low-rise apartment dwelling use provided at-grade in the northern corner of the lot.

In April 2018, the owner applied to sever the property through a Part Lot Control application (File No. D07-08-18-0009). The owner wishes to sever each of the four dwelling units within the apartment dwelling to create four freehold units. As there is an overlap of units internal to the building, the severance will be both vertical and horizontal. The apartment building under construction is designed so that each unit can be severed to contain separate entrances, vehicular parking spaces, and servicing.

However, the dwelling units share a common amenity area located at-grade in the northern corner of the lot. The provided amenity area currently satisfies the zoning requirements for a low-rise apartment dwelling with four dwelling units. This amenity area is required to be communal and shared amongst tenants. After the property is severed, to ensure that the apartment dwelling use continues to comply with the Zoning By-law, Section 137 – Amenity Space, the site must be considered one lot for zoning purposes.

It is Planning Services' recommendation to add a "one lot for zoning purposes" provision to the existing zone to ensure the site maintains zoning compliance after Part Lot Control is lifted.

## **DISCUSSION**

### **Public consultation**

Notification and public consultation was undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications. No respondents commented on the proposal.

### **Official Plan designations**

The site is located within the General Urban Area designation as shown on Schedule B of the City's Official Plan.

### **Other applicable policies and guidelines**

No additional policies or guidelines apply to this Minor Zoning By-law application.

## **Planning Rationale**

### ***Planning Act* and Provincial Policy Statement**

The *Planning Act* requires that all City planning decisions be consistent with the Provincial Policy Statement (PPS), a document that provides policy direction on matters of Provincial interest related to land use development. The PPS contains policies that require an appropriate mix of residential in urban areas and that provide for efficient land use and development pattern.

The proposal is subject to the policies contained within the 2014 PPS. Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014. The proposal is in keeping with the PPS by promoting efficient, cost-effective development that minimizes land consumption and servicing costs.

### **Official Plan Policies**

This application has been reviewed under the consolidated Official Plan (2003) with regard to the Council approved amendments contained within Official Plan Amendment 150 (OPA 150). Amendments introduced by OPA 150 do not impact the proposal.

The site is designated General Urban Area (Section 3.6.1), which provides for policy direction encouraging a range of housing types and infill development that enhances and complements the desirable characteristics and ensures the long-term vitality of communities that make up the city. This proposal meets the intent laid out in this policy direction by providing a low-rise apartment building, which is an intensified residential land use, with a shared amenity area that complements the existing character of the area. Staff are satisfied that the recommended zoning provision is consistent with the current Official Plan and OPA 150.

### **Recommended Zoning Details Rationale**

As detailed in Document 2 - Details of Recommended Zoning, the proposed Zoning By-law amendment will re-zone the site from R4H[2249]-c to R4H[XXXX]-c. The following summarizes the site-specific zoning provision that will be added to the exception, as well as the two provisions that currently apply to the site:

### One Lot for Zoning By-law Purposes

Planning Services is recommending that the proposed zoning contain a provision that identifies the subject property as one lot for zoning purposes. The inclusion of this provision will allow the property to be divided into separate ownerships in the future while still conforming to the Zoning By-law.

Each unit has separate entrances, vehicular parking spaces, and servicing. However, the apartment dwelling use is required to provide a common amenity area. This common amenity area is located in the northern portion of the lot. The one lot for zoning purposes provision will allow for the severed units within the low-rise apartment dwelling to be zoning compliant with amenity space requirements. The provision will allow for the site to be severed through a Part Lot Control application and still be considered one lot for the purposes of zoning.

### Active Entrance Provisions

Planning Services also recommends retaining the two active entrance provisions that exist already within the current on-site zoning as exception 2249. These retained provisions are as follows:

- The active entrance of a non-residential use must front either Armstrong Street or McCormick Street.
- Despite the above provision, in the case of a corner lot, an active entrance may be angled towards the intersection of two public streets.

### **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

### **COMMENTS BY THE WARD COUNCILLOR**

Councillor Leiper is aware of the application.

### **LEGAL IMPLICATIONS**

There are no legal impediments associated with implementing the recommendations contained within this report.



## **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with the recommendations of this report.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priority:

EP2 – Support growth of local economy.

## **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 Zoning By-law Amendment Location Map

Document 2 Details of Recommended Zoning

Document 3 Development Concept Plans

## **CONCLUSION**

The Planning, Infrastructure and Economic Development Department supports the proposed Zoning By-law amendment application to permit a one lot for zoning purposes provision to be added to the zoning at 107 and 109 Armstrong Street and 71 and 73 Merton Street. The provision will allow the site to remain zoning compliant should the owner subdivide the land in the future. The proposal is consistent with the Official Plan policies for the General Urban Area. As such, the requested Zoning By-law amendment represents good planning and the department recommends the requested amendment be approved.

## **DISPOSITION**

Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista

O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

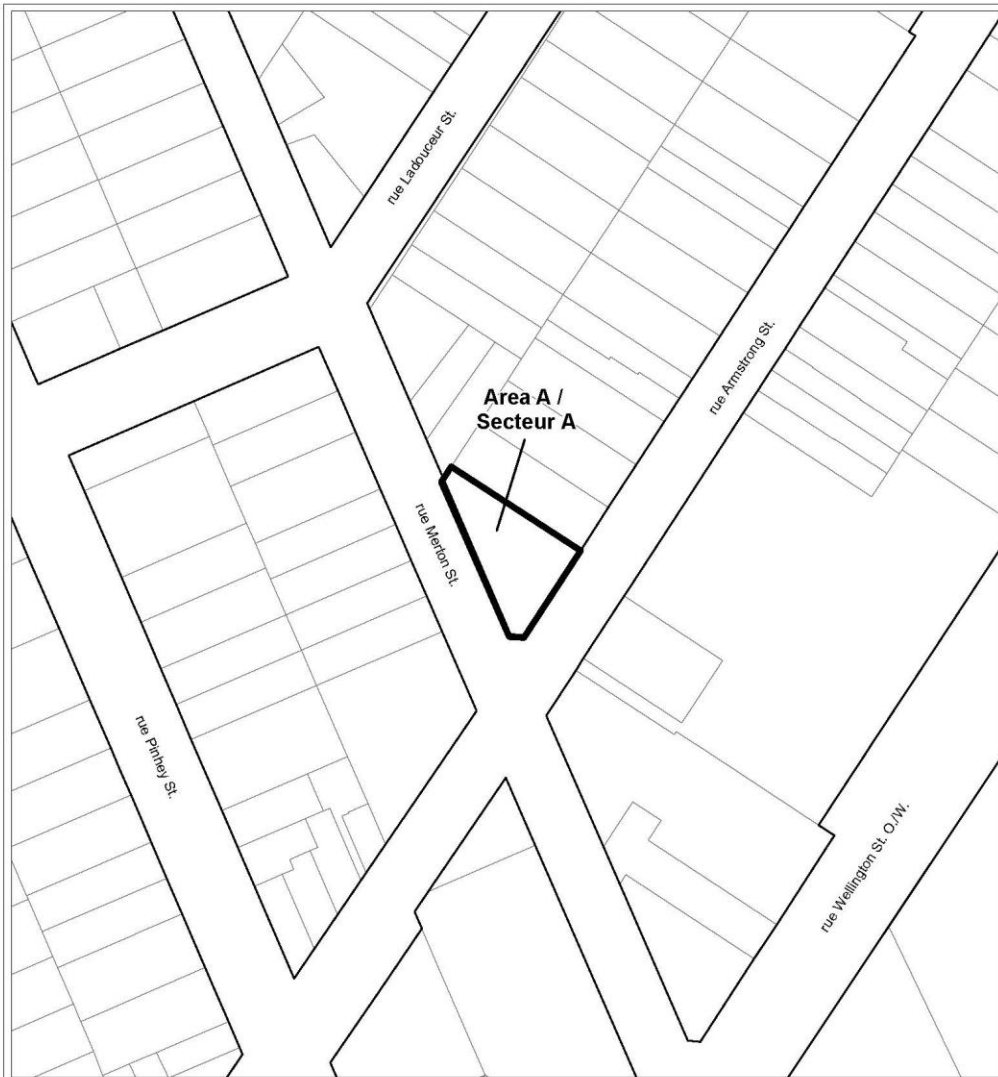
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.



Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

**Document 1 – Zoning By-law Amendment Location Map**

For an interactive Zoning map of Ottawa visit [geoOttawa](http://geoOttawa). The site is located in the Hintonburg neighbourhood at the intersection of Armstrong Street and Merton Street.



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-18-0032	18-0462-D	<b>107 and / et 109 rue Armstrong Street          71 and / et 73. rue Merton Street</b>	
I:\CO\2018\Zoning\Armstrong_107_ZKP			
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.          ©Les données de parcelles appartiennent à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CE CI N'EST PAS UN PLAN D'ARPENTAGE</small>			
REVISION / RÉVISION - 2018 / 06 / 05		Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) / Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)	
			

## Document 2 – Details of Recommended Zoning

The proposed changes to the City of Ottawa Zoning By-law No. 2008-250 for 107 and 109 Armstrong Street and 71 and 73 Merton Street are as follows:

1. Rezone the lands shown in Document 1 from R4H[2249]-c to R4H[XXXX]-c
2. Add a new exception R4H[XXXX]-c, to Section 239 – Urban Exceptions with provisions similar in effect to the following:
  - a. In column II, add the text: “R4H[XXXX]-c”;
  - b. In column V, add the following provisions
    - i. The active entrance of a non-residential use must front either Armstrong Street or McCormick Street.
    - ii. Despite the above provision, in the case of a corner lot, an active entrance may be angled towards the intersection of two public streets.
    - iii. The lands in this exception zone are considered one lot for zoning purposes.

