

- 4. Zoning By-Law Amendment - 174 Forward Avenue**
Modification au règlement de zonage – 174, avenue Forward

COMMITTEE RECOMMENDATIONS

That Council:

- 1. consider this report at its meeting on October 10, 2018, pursuant to Sub-Section 35. (5) of Procedure By law 2016-377;**
- 2. approve an amendment to Zoning By-law 2008-250 for 174 Forward Avenue to permit a four-storey apartment building, as detailed in Document 2.**

RECOMMANDATIONS DU COMITÉ

Que le Conseil :

- 1. examine le présent rapport lors de sa réunion du 10 octobre 2018, conformément au paragraphe 35. (5) du Règlement de procédure 2016-377;**
- 2. approuve une modification au Règlement de zonage (2008-250) relativement au 174, avenue Forward, de façon à permettre un immeuble d'habitation de quatre étages, comme le précise le document 2.**

DOCUMENTATION/DOCUMENTATION

- 1. Director's Report, Planning Services, Planning, Infrastructure and Economic Development Department dated September 26, 2018 (ACS2018-PIE-PS-0004)**

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'Infrastructure et du développement économique daté le 26 septembre 2018 (ACS2018-PIE-PS-0004)

2. Extract of draft Minutes, Planning Committee, October 9, 2018

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 9 octobre, 2018

3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of November 14, 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 October 10, 2018".

Résumé des observations écrites et orales à distribuer séparément avec l'ordre du jour de la réunion du 14 novembre 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 10 octobre 2018 ».

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
9 October 2018 / 9 octobre 2018**

**and Council
et au Conseil
10 October 2018 / 10 octobre 2018**

**Submitted on 26 September 2018
Soumis le 26 septembre 2018**

**Submitted by
Soumis par:**

**Lee Ann Snedden
Director / Directrice**

Planning Services / Services de la planification

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

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Ward: KITCHISSIPPI (15)

File Number: ACS2018-PIE-PS-0004

SUBJECT: Zoning By-law Amendment - 174 Forward Avenue

OBJET: Modification au Règlement de zonage – 174, avenue Forward

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 174 Forward Avenue to permit a four-storey apartment building, as detailed in Document 2.**

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 October 10, 2018, subject to submissions received between the publication of this report and the time of Council's decision.
3. That Planning Committee recommend Council consider this report at its meeting on October 10, 2018, pursuant to By-law No. 2016-377, Subsection 35(5), being the Procedure By-law of the City of Ottawa.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage (2008-250) relativement au 174, avenue Forward, de façon à permettre un immeuble d'habitation de quatre étages, comme le précise le document 2.
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 10 octobre 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.
3. Que le Comité de l'urbanisme recommande au Conseil d'examiner le présent rapport lors de sa réunion du 10 octobre 2018, conformément aux dispositions du paragraphe 35 du *Règlement de procédure (2016-377)*.

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

174 Forward Avenue

Owner

Derek D'Anat

Applicant

FOTENN Consultants Inc. (Jacob Bolduc)

Architect

Project 1 Studio

Description of site and surroundings

The site is located in the Mechanicsville neighbourhood, bound to the west by Tunney's Pasture, to the east by Laroche Park, to the north by the Sir John A. MacDonald Parkway and to the south by Scott Street. The site is more specifically located on the southwest corner of the intersection of Forward Avenue and Lyndale Avenue, one block east of Parkdale Avenue, and abuts a City-owned laneway. It is located approximately 430 metres from the Tunney's Pasture Station to the west and approximately 820 metres from Bayview Station to the east. Several amenities - including parks, community centres, local commercial uses, places of worship and rapid-transit stations - are located in close proximity to the site.

There is currently a two-storey residential building and a large paved parking area on the property.

Summary of requested Zoning By-law amendment proposal

The site is zoned Residential Fourth Density Zone, Subzone S (R4S) in the City of Ottawa Comprehensive Zoning By-law 2008-250.

As the use of a low-rise apartment building is permitted in the R4S zone, the proposed Zoning By-law amendment seeks to:

- Reduce the corner side yard setback to 1.5 metres from the required minimum of three metres.
- Reduce the rear yard setback to zero metres from the required minimum of 1.2 metres.
- Reduce the number of visitor parking spaces to zero from the required minimum of one space.
- Permit a landscaped communal rooftop amenity space, whereas the by-law requires the communal amenity area to be located at grade in the rear yard and consist of 80 per cent soft landscaping.
- To increase the maximum area for a roof top access from 10.5 square metres to 40 square metres.
- To increase the maximum height for a roof top access to 4.5 metres.

Brief history of proposal

The applicant initially proposed an eight-storey residential building containing 24 units and six parking spaces. Concerns were raised by the local residents and the Mechanicsville Community Association (MCA) with regard to the proposed height, locations of the parking garage and the waste collection room, and the reduced corner side yard.

The applicant agreed to revise the project to a four-storey building with an additional residential below-ground floor containing 18 units. The proposed building is 13.1 metres tall, which is below the maximum permitted height of 14.5 metres in the existing R4S zoning. The parking garage was removed and relief from having to provide the one required visitor parking space is now being sought. Garbage collection will be accessed from the existing laneway adjacent to the rear of the property.

DISCUSSION

Public consultation

A public information session was held on February 13, 2018 that local residents, representatives of the MCA, Councillor Leiper and his staff, and City Planning staff attended.

As previously mentioned, concerns were raised with regard to the proposed height, locations of the parking garage and waste collection room, and the reduced corner side yard.

For this proposal's consultation details, see Document 3 of this report.

Official Plan designation

As shown on Schedule B of the Official Plan, the subject property is designated General Urban Area. This designation permits a full range of uses, including a variety of residential types to meet all ages, incomes and life circumstances.

Other applicable policies and guidelines

The subject property is designated Low-rise Residential on Schedule A – Land Use in the Scott Street Secondary Plan and designated with a maximum building height of four storeys on Schedule B – Buildings Heights of the Secondary Plan.

Urban Design Review Panel

The subject property is not located within a Design Priority Area.

Planning Rationale

The new proposal lowers the building height from eight to four storeys. As such, an Official Plan Amendment to the Scott Street Secondary Plan is no longer needed. The proposed 13.1-metre height is also within the permitted height limit of 14.5 metres in the R4S zone, which permits a wide range of low-rise residential building forms, including low-rise apartment buildings.

Rear yard setback

The proposed reduction will have no impact on the abutting property to the west as the rear yard abuts a six-metre public laneway, which already provides a separation between the buildings that is greater than the required 1.2-metre setback.

Corner side yard

The proposed 1.5-metre corner side yard, although not complying with the required three metre setback, will result in the new building being setback slightly further than the existing building and will be consistent with the setbacks of neighbouring properties along Lyndale Avenue. An improved and proper sight triangle at the corner of Lyndale

and Forward Avenues will be created by the proposed increased front yard setback of 4.5 metres.

Visitor parking

The relief sought for the removal of the one required visitor parking space can be justified by the proposed development being located only 430 metres away from the Tunney's Pasture Transit Station as this will provide a convenient opportunity to use public transportation.

Amenity area

The proposed roof top amenity space, although not located at ground level, will exceed the minimum area requirement and will be subject to the performance standards introduced under Infill II to ensure minimal impact on adjacent properties. Furthermore, the interior block being characterised by a laneway with abutting parking instead of backyards, the intent to maintain amenity area, permeable surfaces, and existing vegetation will not be infringed.

Roof top access

The relief sought to increase the roof top access area can be justified by a Building Code requirement where a barrier-free path of travel (elevator) is required in any building over three storeys in height. Two means of egress (elevator, stairs) in the interest of safety and accessibility are being proposed. In the event of an emergency where the elevator is inaccessible, stairs are required for means of egress. A turning radius in front of the elevator also needs to be provided for accessibility.

The relief sought to increase the height can be justified to allow the elevator overrun.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Leiper provided the following comments:

“My thanks go to the applicant for a significant reduction in the proposed height of this building, which was first proposed at eight storeys. The Scott Street Secondary plan provides new guidance for the Mechanicsville community, and was developed after an extensive consultation period that engaged builders, the community and staff. Proposed now at four storeys, the proposal meets the spirit and intent of that secondary plan, and I commend the builder for their willingness to respond to my and the community's feedback.”

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

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

ACCESSIBILITY IMPACTS

No accessibility barriers are anticipated. Proper accessibility will be ensured through Site Plan Control Approval and Building Code review.

ENVIRONMENTAL IMPLICATIONS

Environmental implications will be assessed through the Site Plan Control Approval process.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

Healthy and Caring Communities

- HC1 - Advance equity and inclusion for the City's diverse population
- HC3 - Create new and affordable housing options

Economic Prosperity

- EP3 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 Location Map

Document 2 Details of recommended zoning

Document 3 Consultation Details

CONCLUSION

Staff is satisfied that the proposed development is in keeping with the Official Plan and Scott Street Secondary Plan policies, and that while integrating well with the existing neighbourhood context, represents a desirable built form to dictate proper redevelopment of the area.

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 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa

This map shows the subject property, which located to the south-west of the intersection of Lyndale and Forward Avenues.



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE SITE PLAN / PLAN D'EMPLACEMENT	
D02-02-17-0092	17-1569-X		
D07-12-17-0129			
I:\CO\2017\Zoning\Forward_174			
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REVISION / RÉVISION - 2017 / 11 / 27		[Black rectangle] 174 avenue Forward Avenue	
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 174 Forward Avenue:

1. To rezone the lands shown in Document 1 from R4S to R4S[xxxx]
2. Add a new exception, R4S[XXXX], to Section 239 – Urban Exceptions with provisions similar in effect to the following:
 - a) Add to Column II, the text, “R4S[xxxx]”; and
 - b) Add to Column V, Provisions, the text:
 - “- minimum corner side yard setback: 1.5 m;
 - minimum rear yard setback: 0 m;
 - there is no required visitor parking;
 - Despite Table 137, Column IV, Row (3), the amenity area required for the first 8 units may be provided as rooftop amenity area and need not be soft landscaping;
 - maximum combined total area for roof-top access containing one elevator and one staircase: 30 m²;
 - maximum combined total area for roof-top access containing one elevator and two staircases: 40 m²;
 - maximum height for a roof-top access: 3.1 m;
 - maximum height for the portion of a roof-top access containing an elevator: 4.5 m.

Document 3 – Consultation Details

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 public meeting was also held in the community on February 13, 2018 that local residents, representatives of the Mechanicsville Community Association, Councillor Leiper and his staff, and City Planning staff attended.

Public and Community Organization Comments and Responses on the first proposal

Comment:

The building height (8 storeys, previously) is not permitted in the Scott Street Secondary Plan, and is not permitted in the Zoning by-law. A height of 4 storeys, permitted in the R4 zone, is more appropriate.

Response

The applicant agreed to revise the project to a four-storey (13.1-metre) building. The proposed building's height is below the maximum permitted height of 14.5 metres under in the existing R4S zoning.

Comment:

The location of the proposed parking garage could create a public safety hazard due to its proximity to the public laneway, the intersection of Parkdale Avenue and Lyndale Avenue, and the parking entrance of new development along Parkdale Avenue. Further, the reduced corner side yard can create a hazard for traffic sight lines.

Response:

The applicant agreed to revise the project by removing the parking garage.. While there is a reduced corner side yard proposed there is also a significant City boulevard (approximately 2.2 metres) that will provide for an adequate site line.

Comment:

It is recommended that the waste collection room be accessed from the public laneway abutting the property.

Response:

The location of the waste collection room will be further investigated as part of the site plan control approval process.