

5. Zoning By-Law Amendment – 536 Rochester Street
Modification du Règlement de zonage – 536, rue Rochester

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for 536 Rochester Street to permit a restaurant use on the site, as detailed in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve la modification du Règlement de zonage 2008-250 visant le 536, rue Rochester, afin de permettre l'utilisation de restaurant à cet emplacement, comme il est expliqué en détail dans le document 2.

DOCUMENTATION/DOCUMENTATION

1. Director's Report, Planning Services, Planning, Infrastructure and Economic Development Department, dated February 28, 2019 (ACS2019-PIE-PS-0028)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'Infrastructure et du développement économique, daté le 28 février 2019 (ACS2019-PIE-PS-0028)
2. Extract of draft Minutes, Planning Committee, March 28, 2019

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 28 mars 2019
3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of April 24, 2019, 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 April 10, 2019".

Résumé des observations écrites et orales à distribuer séparément avec l'ordre du jour de la réunion du 24 avril 2019 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 avril 2019 ».

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
28 March 2019 / 28 mars 2019**

**and Council
et au Conseil
10 April 2019 / 10 avril 2019**

**Submitted on 28 February 2019
Soumis le 28 février 2019**

**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: SOMERSET (14)

File Number: ACS2019-PIE-PS-0028

SUBJECT: Zoning By-law Amendment – 536 Rochester Street

OBJET: Modification du Règlement de zonage – 536, rue Rochester

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 536 Rochester Street to permit a restaurant use on the site, 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 April 10, 2019," 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 la modification du *Règlement de zonage 2008-250* visant le 536, rue Rochester, afin de permettre l'utilisation de restaurant à cet emplacement, comme il est expliqué en détail dans 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 avril 2019 », 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

536 Rochester Street

Owner

7550979 Canada Inc.

Applicant

Kayla Blakely, Novatech

Description of site and surroundings

The subject property is located on the west side of Rochester Street, between Pamilla Street and Adeline Street in West Centretown. The property is currently occupied by a two-storey detached dwelling with parking provided in the northerly side yard and rear yard. To the north of the subject property is a mixed-use development and low rise residential uses; to the east of the site is a 21-storey federal office building; to the south of the subject property is a restaurant use and parking lot; and to the west of the subject property is a low-rise residential neighbourhood.

Summary of requested Zoning By-law amendment proposal

The subject property is zoned R4T (Residential Fourth Density, Subzone T). The owner would like to convert the existing dwelling into a restaurant use, which is not permitted in the R4T zone. It is proposed to add a site-specific exception to the current zoning to add a restaurant as a permitted use. The proposed restaurant will provide take-out service, as well as seating for up to 20 patrons, and will occupy both storeys of the building, totaling approximately 90 square metres in gross floor area. The ground floor will be occupied by the kitchen and take-out counter, as well as table and bench seating for patrons. The second floor will provide areas for food preparation and storage. Parking for the proposed restaurant use is not required by the Zoning By-law, but the application indicates that existing parking on-site will be maintained in order to accommodate off-street parking for the restaurant.

The proposed conversion of the existing building will involve internal renovations to accommodate the restaurant use, in addition to changes to the façade and exterior of the building to create a more commercial aesthetic. It is proposed to remove the existing covered porch at the front of the building and reconstruct a new covered porch. Other works include the removal of an existing second storey sunroom overhang and the installation of an exterior staircase in its place. No other changes to the site layout are proposed.

Section 130 of the Zoning By-law states that where a non-residential use is permitted in a residential zone, the non-residential use must comply with the residential zone regulations that apply to the highest density residential use permitted in that zone. In this case, because it is proposed to maintain the R4T zoning with a site specific exception to permit a restaurant use, the proposed restaurant use would be subject to the zoning provisions for a low-rise apartment dwelling. This application seeks to apply the zoning regulations for a detached dwelling in the R4T zone to the restaurant use. The application also seeks to regularize existing non-complying on-site conditions, including a reduced front yard setback and a reduced southerly interior side yard setback.

DISCUSSION

Public consultation

Public notification for this application was undertaken in accordance with the requirements of the *Planning Act* and the City of Ottawa's Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. One public comment was received, which indicated support for this application.

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

Official Plan designation(s)

The site is located within the Mixed-Use Centre designation in accordance with Schedule B of the Official Plan.

Other applicable policies and guidelines

The site is located within the Preston-Carling District Secondary Plan area. The property is identified as being within the Rochester Corridor designation within the Secondary Plan.

Planning rationale

The proposed zoning amendment is consistent with the applicable Official Plan policies, including the Mixed-Use Centre designation (Section 3.6.2), as well as the Preston-Carling District Secondary Plan area.

In the Mixed-Use Centre designation, the policy framework defines Mixed Use Centres as being central nodes of activity within their surrounding communities and the city as a whole. These centres are areas with potential to achieve high densities and compact and mixed-use development oriented to rapid transit. A mix of transit-supportive uses such as offices, shops and services (such as restaurants) that provide for the needs of residents and workers are encouraged. The proposed zoning amendment meets the intent of these policies, as the proposed restaurant will contribute to a mix of uses within close proximity to the Carling Transit Station, and will serve the needs of residents and workers in that area. Given the immediate context of the site, which includes adjacent properties with restaurant uses, and nearby Mixed-Use Centre zoning that permits a range of commercial uses, the addition of a restaurant on the subject property is not out of context with surrounding uses or the planned context of the area.

In accordance with the Preston-Carling District Secondary Plan, the Rochester Corridor acts as an entry route to both the Preston-Carling District and the federal government Booth Street Complex, and the policy framework seeks to encourage the development of Rochester Street as a mixed use urban edge between the two distinctive areas. The proposed restaurant use will contribute to the character of Rochester Street as an evolving mixed-use corridor, and as the use is proposed to be contained within the existing building on the subject property, it will remain compatible with the abutting low-density residential uses to the north and west. The Department is satisfied that the proposal represents compatible development and is an appropriate use of the property.

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 McKenney provided the following comment:

“The rezoning of this property for restaurant use in an R4 zone represents a loss of residential units in this area. There is no good rationale for why they should continue with this proposal.”

LEGAL IMPLICATIONS

There are no legal impediments with respect to implementing the recommendation contained within this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk 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

The proposed zoning amendment does not have an impact on the accessibility of the building. Any internal modifications required for the restaurant use that necessitate a building permit will be required to meet any accessibility criteria contained within the Ontario Building Code.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- EP2 – Support growth of local economy
- GP1 – Strengthen public engagement

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

The Planning, Infrastructure and Economic Development Department supports the proposed Zoning By-law Amendment application to permit a restaurant use on the subject property. The proposal is consistent with the Official Plan policies, including the Preston-Carling District Secondary Plan, and represents good planning. 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.

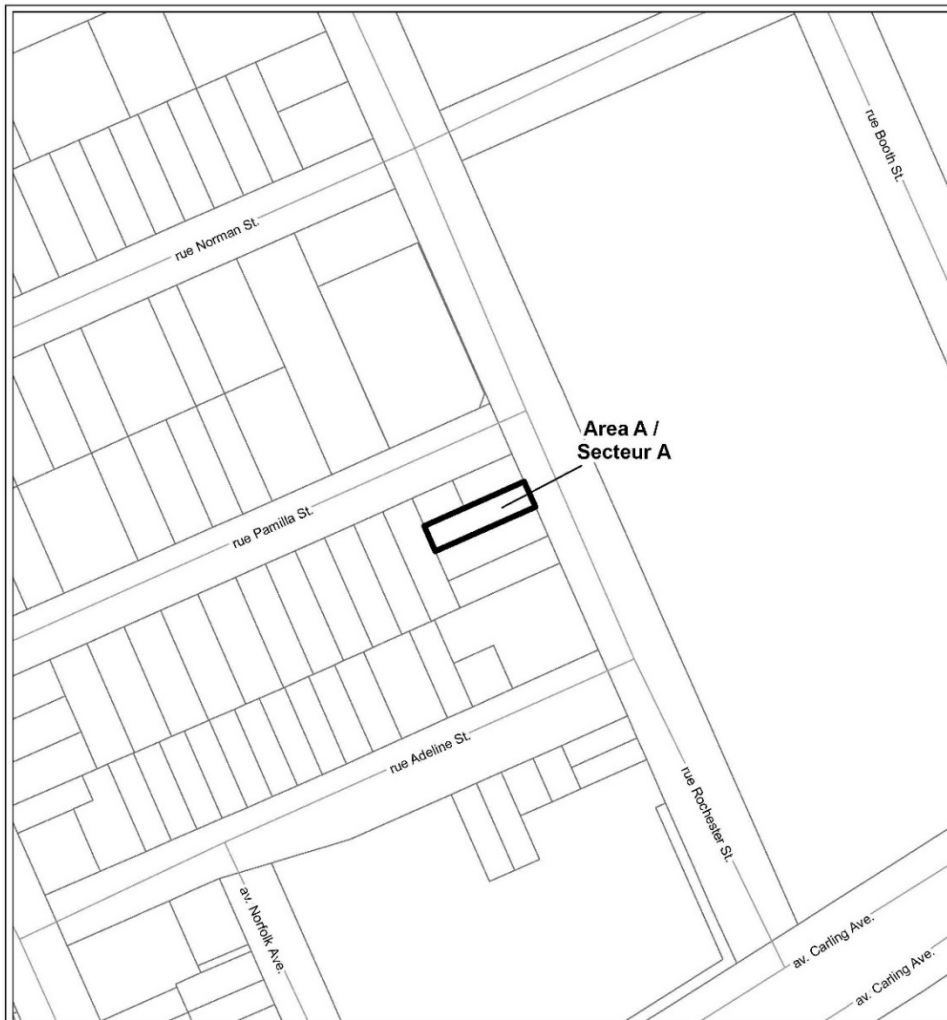
Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.




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

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa

The site is located on Rochester Street in West Centretown, between Pamilla Street and Adeline Street.



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-18-0112	19-0147-X	 536 rue Rochester Street	
I:\CO\2019\Zoning\Rochester_536\...rezone		Area A to be rezoned from R4T to R4T[xxx1] Le zonage du secteur A sera modifié de R4T à R4T[xxx1]	
<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</small>			
<small>©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>		<small>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)</small>	
REVISION / RÉVISION - 2019 / 02 / 11			

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 536 Rochester Street:

1. Rezone the lands shown in Document 1 from R4T to R4T [XXX1]
2. Add a new exception R4T [XXX1] to Section 239 – Urban Exceptions with provisions similar in effect to the following:
 - a. In Column II, add the text “R4T [XXX1]”
 - b. In Column III, add “restaurant”
 - c. In Column V, add the following provisions:
 - i. A building containing a restaurant use is subject to the provisions of a detached dwelling in Table 162A.
 - ii. The minimum front yard setback is 0 m.
 - iii. The minimum southerly interior side yard setback is 0 m.
 - iv. A porch may project up to 0 m from the front lot line.

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.

Public Comments and Responses:

One resident submitted a written comment that expressed support for this application.