

2. Zoning By-Law Amendment – 287 Lisgar Street

Modification au *Règlement de Zonage* – 287, rue Lisgar

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 287 Lisgar Street to permit parking garage as an additional permitted use and amend Exception 1798 as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification au *Règlement de zonage 2008-250* visant le 287, rue Lisgar, afin de permettre la présence d'un garage de stationnement en tant qu'utilisation supplémentaire et de modifier l'exception 1798, comme l'expose en détail le document 2.

Documentation/Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated February 12, 2020 (ACS2020-PIE-PS-0023)

Rapport du Directeur, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 12 février 2020 (ACS2020-PIE-PS-0023)

2. Extract of draft Minutes, Planning Committee, April 9, 2020

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 9 avril 2020

Report to
Rapport au:

Planning Committee / Comité de l'urbanisme
~~February 27, 2020 / 27 février 2020~~
April 9, 2020 / 9 avril 2020

and Council / et au Conseil
~~March 25, 2020 / 25 mars 2020~~
April 22, 2020 / 22 avril 2020

Submitted on 12 February 2020
Soumis le 12 février 2020

Submitted by

Soumis par:

Douglas James

Acting Director / Directeur par intérim

Planning Services / Services de la planification

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

Contact Person / Personne ressource:

Simon M. Deiaco, Planner / Urbaniste, Development Review Central / Examen des
demandes d'aménagement centrale

(613) 580-2424, 15641, Simon.Deiaco@ottawa.ca

Ward: SOMERSET (14)

File Number: ACS2020-PIE-PS-0023

SUBJECT: Zoning By-law Amendment – 287 Lisgar Street

OBJET: Modification au Règlement de zonage – 287, rue Lisgar

REPORT RECOMMENDATIONS

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 287 Lisgar Street to permit parking garage as an additional permitted use and amend Exception 1798 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 Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* 'Explanation Requirements' at the City Council Meeting of March 25, 2020", 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 visant le 287, rue Lisgar, afin de permettre la présence d'un garage de stationnement en tant qu'utilisation supplémentaire et de modifier l'exception 1798, comme l'expose en détail 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, 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 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 de la *Loi sur l'aménagement du territoire*, à la réunion du Conseil municipal prévue le 25 mars 2020 », 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

287 Lisgar Street

Owner

Claridge Homes

Applicant

Vincent Denomme, Claridge Homes

Description of site and surroundings

The subject site is located to the north side of Lisgar Street, east of Bank Street. Across from the subject site is a surface parking lot belonging to Carleton University. The surrounding properties are commercial office towers, an at grade commercial parking lot, as well as low- and high-rise residential buildings.

A 16-storey residential building has been constructed and contains 108 dwelling units with four levels of below grade parking. A minimum of 51 vehicular parking spaces are required under the City's Zoning By-law, 43 for residents and eight for visitor parking. As approved, 79 parking spaces have been constructed in the underground parking garage. The applicant proposes providing 43 spaces for resident parking, eight for guests, with the 28 remaining spaces being available for use as a public parking garage.

In order to facilitate a commercial parking garage as an additional permitted use, the applicant seeks to add "Parking Garage" as a permitted use within the site's zoning. No changes are proposed to the approved built form and the additional use would be site-specific.

Summary of requested Zoning By-law amendment proposal

The property at 287 Lisgar Street is zoned Residential Fifth Density Subzone B, Exception 1798 with a Floor Space Index of 6.5 (R5B[1798] F(6.5)). Currently, the site-specific zoning does not permit a parking garage as a permitted use in either zone. The proposed amendment would add parking garage as an additional permitted use, with no additional specific performance standards. The implementing by-law will amend existing zoning provisions within Exception 1798. There are no other proposed amendments to the required parking rates for residential and visitor parking within the project.

Brief history of proposal

The subject property received zoning and site plan control approvals to permit the construction of a new 16-storey residential tower. The tower contains 108 dwelling units, which requires 43 resident parking spaces and eight visitor parking spaces for a total requirement of 51 spaces. The parking garage contains 79 spaces, which results in a surplus of parking should there not be a full uptake of parking stalls by the tenants of the building. To ensure that these spaces are provided for, as required by the By-law 2008-250, staff are recommending a limit within the Zoning Exception on the amount of parking stalls that may be dedicated for a parking garage. As well, it should be noted that should demands for parking be higher than the minimum requirements, the amendment would not prejudice all parking stalls within the garage to be dedicated to the residents of the building.

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. Comments during the circulation six comments were received

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

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

Official Plan designations

The property is designated as General Urban Area in the Official Plan. The subject site is also designated as Residential - Apartment Neighbourhood in the Centretown Secondary Plan.

Urban Design Review Panel

The application was not subject to consultation with the Urban Design Review Panel.

Planning Rationale

Official Plan

As part of the City's Transportation Master Plan, specific policies are in place with respect to parking. The Official Plan states that the City will manage the supply of

parking. Parking supplies will be managed in areas with intensification requirements and other areas served by the Rapid Transit and Transit Priority Networks. This will support the objectives of providing short-term parking that supports the needs of local businesses, institutions and tourism destinations. Supporting intensification and minimizing the amount of land devoted to parking through measures such as providing parking underground or in structures incorporating other uses and arrangements to share parking among land users.

The policies of the Official Plan also recognize that the automobile continues to be a relevant mode of travel that must also be addressed, while continuing to increase the use of public transit. The proposed rezoning to allow public parking in conformity with this policy direction as it will allow for the desired sharing of parking referred to in the Official Plan. As well, the proposal provides the opportunity to meet the needs of short-term and longer-term users who travel to Centretown and the Central Area for purposes such as tourism, shopping or visiting, without negatively impacting transit ridership.

Centretown Secondary Plan and Community Design Plan

The Secondary Plan outlines that the City shall encourage the provision of below-grade or above-grade public parking within new private developments close to major destinations. The site is within proximity to the City's core which has numerous cultural and tourist destinations. As well, the Secondary Plan states that new surface parking lots should be prohibited which this site has since removed through the construction of the tower. The Secondary Plan also speaks to reviewing the rates for on-street parking to ensure that there is a balance between non-automobile travel and continuing to attract visitors and retail patrons who travel by car. The Community Design Plan (CDP) speaks further to the City considering the provision of off-street parking facilities in new development, particularly in mixed-use developments or developments in the vicinity of all-day destinations. This site satisfies that direction of the CDP. The off-street parking outlined in the CDP would be provided to help meet the needs of automobile users. Approval of the proposed rezoning will support the direction proposed by the CDP by providing a public parking facility in this new development that is in immediate proximity to the Central Area, which, with all the attractions and amenities, is considered as an all-day destination. The proposal may also provide relief to existing on-street parking constraints by providing additional off-street parking.

It should also be noted that the lands east of the subject site within the Traditional Mainstreet zoning designation permit a parking garage, therefore the use of a parking garage within the Central Area is neither foreign or a prohibited use within the both the larger planning and immediate area. As well, as the parking spaces for the project are located below grade, as per the policy direction of the Official Plan thereby removing the visual blight on the site which was once occupied by a surface parking lot. The intent of the application is not to create a new principle use for the development, as there is minimum parking requirement for the residential tower that must be met, but rather permit additional parking to better utilize an existing supply that has already been constructed. As mentioned above, approval of this rezoning may lessen the pressure on the existing on-street parking as it provides an additional source of parking.

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:

“I do not support the application to add “parking garage” as a permitted use for this site. This development will replace a surface parking lot, adding much needed housing units downtown. This is a positive use for the site and the addition of “parking garage” as a permitted use will negatively impact the area.

The addition of this use to accommodate public parking will contribute to congestion and gridlock on our downtown streets, which is dangerous for all other road users and creates harmful GHG emissions. As a city, we should be working to decrease private vehicle usage in the core and encourage alternate commuting methods.

I question why this provision was not filed in conjunction with the original Site Plan Control application. Had this addition been included in the initial submission, I would have ensured the parking facilities only met the minimum parking requirements for resident and visitor parking.”

LEGAL IMPLICATIONS

There is no legal impediment to the adoption of the recommendations in this report. In the event that the recommendations are adopted, and the matter is appealed to the Local Planning Appeal Tribunal, it is expected that a one day hearing will result that could be accommodated within staff resources.

Should the application be refused, reasons must be provided. In the even of an appeal against a refusal, it would be necessary to retain an external planner.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with the report.

ASSET MANAGEMENT IMPLICATIONS

There are no Asset Management implications with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the approval of the zoning amendment. In the event the zoning amendment is refused and appealed, an external planner would be retained. This expense would be absorbed from within Planning, Infrastructure and Economic Development's operating budget.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with the proposed rezoning request.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- GP1 – Strengthen public engagement
- GPS – Advance management oversight through tools and processes that support accountability and transparency

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 additional time required to assess the application and resolve concerns raised.

SUPPORTING DOCUMENTATION

Document 1 Location Plan

Document 2 Details of Recommended Zoning

Document 3 Public Consultation Details

CONCLUSION

It is the department's position that the proposed rezoning is in keeping with the policy intent of both the Primary Official Plan as well as the new Centretown CDP and Secondary Plan. It will also allow the opportunity to provide needed parking for the area, while maintaining the balance between the needs of automobile users and public transit.

DISPOSITION

Legislative Services, Office of the City Clerk to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; 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, Innovative Client Services Department 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.



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-19-0093	19-0946-D	 287 rue Lisgar Street	
I:\CO\2019\Zoning\Lisgar_287			
<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>		 Heritage (Section 60) Patrimoine (Article 60)	
<small>©Les données de parcelles appartiennent à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE</small>			
REVISION / RÉVISION - 2019 / 08 / 23		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 change to the City of Ottawa Zoning By-law No. 2008-250 for 287 Lisgar Street:

R5B[1798] F(6.5)

Amend Exception 1798, provisions similar in effect to the following:

- i) Column III, "Parking Garage" is an additional permitted use;
- ii) Column III, A parking garage is limited to a maximum of 28 parking stalls.

Document 3 – Consultation Details

Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. There were six comments received from the public during the circulation period.

Comment:

The City should not be encouraging developers to provide more parking than is required by allowing them to generate revenue by converting parking that they cannot sell or lease to a parking garage.

Response:

The proposed zoning amendment, if approved, does not require or prejudice the parking stalls within the existing building to be use solely for the tenants of the building. By-law 2008-250 does contain maximum parking provisions for sites within 600 metres of a transit station, however this project does not exceed the maximum parking permitted within the Parliament LRT station.

At the time of Site Plan Control approval, the project was to be constructed and occupied as a condominium product, however the project has now switched tenure to a rental building which is generating less demand for parking from the tenants.

Comment:

Clarification was requested on how many levels of below grade parking are within the building and the number of stalls.

Response:

The building has constructed four levels of below grade parking with a total of 79 parking stalls.

Comment

The applicant should be required to demonstrate how secure access will be maintained for residential units, and how customers will reach their vehicles.

Response:

The applicant has noted that security features will be introduced into the building for those parking. The access to the parking garage will be controlled by an FOB system. This garage will function as long-term parking (monthly rates). Claridge will screen the users and have their information. Cameras will also be monitoring the garage.

Comment:

Why was the applicant not required to fully address the parking issue for the apartment building when original application submitted and approved? Or ask for approval to build a parking garage at that time?

Response:

Parking was addressed at the time of zoning approval and Site Plan Control. The request to add a parking garage as an additional permitted use is in response to the change in product (condominium to rental), and the reduced demand for parking.

Comment:

Why didn't the applicant supply more underground parking so that surface parking for residents would not be needed? Should they be getting involved in providing additional public parking in this location when there is already enough traffic congestion in this particular part of the city?

Response:

There is no surface parking being proposed on the subject property. Parking required for the building is being provided as per By-law requirements.

Comment:

We thought the City was trying to encourage people who moved downtown not to use cars but walk or use the new transit system. If the developer did not provide more parking for his building, they could attract that kind of individual by advertising accordingly (no car needed, be able to walk to work, etc.) and thus existing parking in building would be adequate.

Now that block of Lisgar Street. residents, nearby residents, and regular Lisgar Street car users will be inconvenienced (noise, dust, traffic stopped so cement trucks can back into site, etc.) for another 2 to 3 years by the proposed construction. There was enough

disruption for the last three years. Is this going to happen for the other condo/apartment building the developer is building about 2 blocks over?

Response:

There is no construction planned for the parking garage at 287 Lisgar Street. The parking garage spaces will be located within the existing four-storey garage. Parking for the building has been provided at a rate of less than one space per dwelling unit. Therefore, the project was never constructed with an oversupply of parking in staff's opinion