

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
14 January 2021 / 14 janvier 2021**

**and Council  
et au Conseil  
27 January 2021 / 27 janvier 2021**

**Submitted on 17 December 2020  
Soumis le 17 décembre 2020**

**Submitted by  
Soumis par:  
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Planning Services / Services de la planification  
Planning, Infrastructure and Economic Development Department / Direction  
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**Ward: KITCHISSIPPI (15)**

**File Number: ACS2021-PIE-PS-0008**

**SUBJECT: Zoning By-law Amendment – 243 and 245 Hinchey Avenue**

**OBJET: Modification au Règlement de zonage – 243 et 245, avenue Hinchey**

**REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 243 and 245 Hinchey Avenue to permit the proposed three-storey, 16-unit low-rise 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 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 27 January 2021” 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 les 243 et 245, avenue Hinchey, afin de permettre la construction d’un immeuble résidentiel de faible hauteur (trois étages) abritant 16 logements, 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 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 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 27 janvier 2021 », 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.

## EXECUTIVE SUMMARY

### Staff Recommendation

Planning staff recommend approval of the proposed Zoning By-law amendment for 243 and 245 Hinchey Avenue to facilitate the construction of a new, three-storey 16-unit low-rise apartment building.

The applicant is requesting a site-specific Urban Exception for an increased number of units, a reduction in the required vehicle parking from two to 0 spaces, a reduced setback from the rear and interior side lot lines for two accessory structures and, relief from providing balconies at the front.

### Applicable Policy

The proposed development is consistent with the Official Plan (OP), the Scott Street Secondary Plan (the Plan), and the Scott Street Community Design Plan (CDP).

The OP designates the site as General Urban Area on Schedule B-Urban Policy Plan. This designation supports a range of development, including a variety of housing typologies to meet the needs of all ages, incomes and life circumstances, in addition to retail, service, employment, culture, entertainment and institutional uses.

The Scott Street Secondary Plan identifies the subject site as being within the neighbourhood line and designates the site as Low-Rise Residential as per Schedule A. The Scott Street CDP identifies the site as Low-Rise Residential on the Land Use plan, contained within Section 4.2.

### **Public Consultation/Input**

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.

A public information session was hosted by the Ward Councillor via Zoom on June 18, 2020. The applicant presented an overview of the proposal and responded to questions from attendees. Staff attended the meeting to answer any questions on the process and next steps. During the initial circulation, a total of 12 members of the public as well as the Hintonburg Community Association provided comments. Most comments received expressed opposition to the proposal with concerns related to the proposed setbacks, the façade of the building, location of garbage, lack of vehicular parking, and traffic impacts.

### **RÉSUMÉ**

#### **Recommandation du personnel**

Le personnel chargé d'urbanisme recommande l'approbation de la modification au Règlement de zonage proposée pour les 243 et 245, avenue Hinchey, afin de permettre la construction d'un immeuble résidentiel de faible hauteur (trois étages) abritant 16 logements.

Le requérant sollicite une exception urbaine propre à l'emplacement qui permettrait d'aménager un plus grand nombre de logements, de réduire de deux à aucune le nombre de places de stationnement, de réduire les retraits de deux structures accessoires depuis les lignes de lot des cours arrière et latérale intérieure et d'obtenir une dispense de l'obligation d'aménager des balcons à l'avant.

#### **Politique applicable**

L'aménagement proposé est conforme aux dispositions du Plan officiel (PO), du Plan secondaire de la rue Scott (le Plan) et du Plan de conception communautaire (PCC) de

la rue Scott.

L'annexe B – Plan de politique urbaine – du PO désigne l'emplacement comme appartenant au secteur urbain général. Cette désignation permet toute une gamme d'aménagements, notamment divers types de logement devant permettre de répondre aux besoins des résidents, peu importe leur âge, leur revenu et leur situation, ainsi que des utilisations de vente au détail, de service, d'emploi, de culture, de divertissement et institutionnelles.

Le Plan secondaire de la rue Scott situe l'emplacement visé à l'intérieur des limites de quartier et le désigne, à l'annexe A, comme « Immeuble d'habitation de faible hauteur ». Le Plan d'utilisation du sol de la section 4.2 du PCC de la rue Scott désigne l'emplacement comme « Utilisation résidentielle de faible hauteur ».

### **Consultation publique et commentaires**

Un avis public a été donné et une consultation publique a eu lieu, conformément à la Politique d'avis et de consultation publique approuvée par le Conseil municipal pour les modifications du Règlement de zonage.

Le conseiller municipal du quartier a organisé par Zoom une séance d'information publique le 18 juin 2020. Le requérant a présenté une synthèse de la proposition et a répondu aux questions des participants. Des membres du personnel ont assisté à la séance pour répondre aux questions portant sur le processus et les étapes à venir. Lors de la première période de circulation des documents du projet, 12 membres du public ainsi que l'Association communautaire de Hintonburg ont fait part de commentaires, majoritairement opposés au projet et faisant état de préoccupations liées aux retraits proposés, à la façade de l'immeuble, à l'emplacement de l'aide de stockage des ordures, au manque de places de stationnement pour véhicules et aux répercussions sur la circulation.

### **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**

243 and 245 Hinchey Avenue

**Owner**

2693245 Ontario Inc.

**Applicant**

Paul Robinson, P H Robinson Consulting

**Architect**

P2 Concepts Inc.

**Description of site and surroundings**

The site, known municipally as 243 and 245 Hinchey Avenue, is approximately 589 square metres in size with 20 metres of frontage on Hinchey Avenue. The site is located on the eastern side of Hinchey Avenue, 50 metres south of Scott Street, and is surrounded by a hydro transformer station to the immediate north, and residential uses to the east, west and south of the property. The site is also within 500 metres of the Tunney's Pasture Light Rail Transit (LRT) station. The site is within the Hintonburg neighbourhood, which is comprised of various housing typologies such as (but not limited to) single and semi-detached dwellings, duplexes, triplexes, and low-rise apartment buildings. Along Scott Street there are a variety of commercial and mixed-use buildings.

The site currently consists of two consolidated lots, known legally as Lots 180 and 181 on Registered Plan 88291. Presently, 243 Hinchey Avenue is vacant while 245 Hinchey Avenue is occupied by a single detached dwelling. It is understood that there was a single detached dwelling at 243 Hinchey Avenue, which was (based on aerial photos), torn down sometime between 1976 and 1991. There is an existing overhead hydro wire along the front of the site.

**Summary of proposed development**

The applicant has proposed to demolish the existing detached dwelling at 245 Hinchey Avenue and construct a three-storey, 16-unit low-rise apartment building. No vehicular parking spaces are planned; however, a total of 18 bicycle parking spaces will be provided with two spaces indoors and 16 outdoors, as shown on Document 4. There will be two accessory structures at the rear, one to be utilized as a waste receptacle and the other for bicycle storage for residents.

The lands to which the proposed Zoning By-law amendment applies are also the subject of an ongoing Site Plan Control Application (File Number D07-12-20-0056),

which was submitted concurrently with the subject minor Zoning By-law amendment in May 2020.

### **Summary of requested Zoning By-law amendment proposal**

At the time of application submission, the site was zoned Residential Fourth Density Zone, Subzone H (R4H) as per Zoning By-law 2008-250. Under the R4 Zoning Study adopted by Council on October 14, 2020, the site is now zoned R4-UB. The Mature Neighbourhoods Overlay is also applicable to the site.

The applicant has submitted this application requesting site-specific relief for various performance standards under the R4 zone, to be encapsulated via a new Urban Exception, in order to permit the proposed development.

The relief requested is as follows:

1. To permit a reduced minimum parking space rate of zero, whereas the Zoning By-law requires two spaces;
2. To permit an increased maximum number of dwelling units to 16, whereas the Zoning By-law, permits a maximum unit count of 12 units;
3. To permit a front façade with no additional recession or balconies whereas the Zoning By-law requires 20 per cent of the front façade to be recessed 0.6 metres or balconies be provided; and,
4. To permit an accessory structure in the rear yard with a zero-metre setback from the interior side lot line and the rear lot line, whereas Section 55 of the Zoning By-law stipulates that an accessory structure, within the rear yard, be setback a minimum of 0.6 metres from a lot line

## **DISCUSSION**

### **Public consultation**

A public consultation session was held June 18, 2020 which was attended by the consultant, owner, Community Association, City staff, Ward Councillor and members of the public. The session was hosted via Zoom, with concerns expressed related to the façade of the proposed building, the location of the waste receptacle, affordable housing, snow storage, lack of vehicular parking, bike parking, and balconies (proposed in previous iterations, since removed). A summary of comments received during the review period, and the corresponding staff responses, are found in Document 3.

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

**Official Plan designations**

The subject property is designated General Urban Area on Schedule B of the OP. The General Urban Area designation permits the development of a variety of types and densities of housing to meet the needs of all ages, incomes, and circumstances along with employment, retail, cultural, leisure, greenspace, industrial and institutional uses. In accordance with the provisions of the OP, the regulation of the location, scale and land use will be continued via the Zoning By-law.

**Other applicable policies and guidelines**

The site is within the area covered by the Scott Street Secondary Plan in Volume 2a of the OP. Additionally, the Scott Street CDP is also applicable. The Scott Street Secondary Plan (the Plan), designates the site as Low-Rise Residential on Schedule A and identifies the site as within the neighbourhood line.

The Urban Design Guidelines for Low-rise Infill Housing as well as the Urban Design Guidelines for Transit-Oriented Development also apply to the proposal.

**Urban Design Review Panel**

This proposal is not subject to review by the Urban Design Review Panel.

**Planning rationale****Official Plan**

The proposed development is consistent with the policies for the General Urban Area. Small-scale infill and intensification are supported by the OP, where the existing pattern and scale of development as well as the general planned function of the area are complemented. The proposed development is consistent with Policy 3.6.1.3 of the OP, stipulating that the General Urban Area will be comprised predominantly of low-rise buildings with a height of four-storeys or less.

This application has also been evaluated in accordance with policies contained in Sections 2.5.1 and 4.11 of the OP. Section 2.5.1 provides direction on urban design and compatibility. The policies of Section 2.5.1 outline that compatible development does not necessarily need to be the same or similar to nearby buildings but rather, enhance the existing community through good urban design without adverse impacts to surrounding properties and the planned function of the area.

The overall design of the project has been revised throughout the review of the application in order to address comments from staff and members of the public. Specifically, the applicant has increased the rear yard and interior side yard setbacks—

which are now compliant—increased landscaping in the front yard and rear yard, removed balconies at the rear, and decreased the total number of units proposed from 18 to 16.

Accompanying the policies of Section 2.5.1, Section 4.11, Urban Design and Compatibility, contains objective criteria to be considered as part of the review of an application, including (but not limited to) landscaping, materiality, setbacks, noise, parking and access. There will be no on-site parking, given the proximity of the site to the Tunney's Pasture LRT station.

With regards to compatibility of new buildings, Policy 4.11.5 of the OP dictates that setbacks, building façade, heights, materials and architectural elements (windows, doors and projections) be considered. The proposal has utilized brick as a main building material to be consistent with materials in the surrounding area. In addition to the use of brick, the proposal has utilized large windows on the street facing façade. This key component activates the façade providing visual interest and contributes to eyes on the street.

It is noted that while the garbage and bicycle parking remain outside, they are both enclosed in accessory structures. Each accessory structure has a roof to ensure that the structures can be utilized and function properly during winter months. While the garbage structure abuts the interior side lot line, it is recognized that the use directly abutting the property to the north (utilized by a utility company) is unlikely to change significantly in the future.

#### Scott Street Secondary Plan and Community Design Plan

The Scott Street Secondary Plan encourages intensification and redevelopment within neighbourhoods, while also aiming to maintain the low-rise character of certain areas. As per schedule A of the Secondary Plan, the site is designated low-rise residential and is within the neighbourhood line. The neighbourhood lines shown on schedule A delineate stable, low-rise areas of neighbourhoods from the Mixed Use Centre, Apartment Neighbourhood and Secondary Mainstreet designations. The Plan envisions the Scott Street area evolving as a mixed-use corridor, with improved mobility connections, complete streets, and a range of amenities.

The Scott Street CDP, like the Plan, identifies the site as Low-Rise Residential with a maximum height of 11 metres, as per Section 4.2.

Overall, the proposed development is consistent with the policies of the OP, the Plan, and the CDP and is within the established height limit of 11 metres, which is further maintained by the Zoning By-law.



## Urban Design Guidelines

Both the Urban Design Guidelines for Low-Rise Infill Housing and the Transit Oriented Development Guidelines are applicable to this proposal. The Urban Design Guidelines for Low-Rise Infill Housing apply to vacant or partially vacant lots and are intended to ensure that new infill enhances existing and planned patterns of development with respect to the location of doors and windows, projections, massing, setbacks, and landscaping.

The Transit Oriented Design Guidelines apply to development within a 600-metre walking distance of rapid transit stops/stations and are intended to assist in the review of various development applications, including Zoning By-law amendment and Site Plan Control applications.

## Zoning By-law: New R4 Provisions and Infill Provisions

The site was zoned Residential Fourth Density Zone, Subzone H (R4H), prior to the R4 Zoning Study being adopted by Council on October 14, 2020. With the new R4 Zoning Study, the site was rezoned R4UB. While the application was submitted prior to the new R4 provisions being adopted, it was reviewed against performance standards introduced by the R4 Zoning Study.

The proposed development complies with the majority of the recently approved R4 provisions, save and except for the total unit count and the articulation of the front façade via a step-back recessed 0.6 metres from the front setback line or the provision of balconies on the front façade. It is noted that the R4 Zoning Study replaced amenity area calculations with landscaping minimums. The proposed development exceeds the 50 per cent landscaping in the rear yard minimum, proposing to have approximately 60 per cent of the rear-yard covered in soft landscaping. Additional soft landscaping is proposed in the front yard, to comply with the new infill provisions.

The new zoning designation for the subject property is R4-UB, which permits a maximum of eight units on a lot with a minimum width of 10 metres and a minimum lot area of 300 square metres. This designation also permits a maximum unit count of 12 units on lots with a minimum width of 15 metres and a minimum lot area of 450 square metres. The site, known municipally as 243 and 245 Hinchey Avenue, were originally two separate parcels of land which have since been consolidated. The parcel known as 243 Hinchey Avenue is approximately 292 square metres in lot area, while 245 Hinchey Avenue is approximately 297 square metres, with both having a lot width of approximately 10 metres. Development of each lot with an eight-unit low-rise apartment building would require a minor variance for lot area.

With both lots consolidated, the lot area is approximately 589 square metres, with an approximate lot width of 20 metres. While each lot is slightly smaller than the required 300-square metre minimum for each lot to be developed with an eight-unit low-rise apartment building, the consolidated lot dimensions far exceed the minimum of the required 450 square metres for a 12-unit apartment building. The site can accommodate the proposed 16-unit building and, is a reasonable form of intensification contemplated by the City policies.

In addition to the recently adopted R4 provisions, this Zoning By-law amendment application was also compared against the new infill provisions, which introduced and revised some performance provisions. The proposal complies with the new infill provisions.

Staff are of the opinion that the proposed development complies with the policies of the OP, the policies and intent of the Plan, relevant Urban Design Guidelines and maintains the intent of the new R4 and infill provisions. Furthermore, it is staff's opinion that the proposed development is appropriate and compatible with the surrounding area.

### **Provincial Policy Statement**

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

### **RURAL IMPLICATIONS**

There are no rural implications associated with this application.

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

The Ward Councillor is aware of the application.

### **LEGAL IMPLICATIONS**

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

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk implications associated with the application.

### **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with this application.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

## **ACCESSIBILITY IMPACTS**

No accessibility barriers are anticipated. Review of the proposal through the Site Plan Control process as well as at the Building Permit stage will ensure that the building is accessible.

## **ENVIRONMENTAL IMPLICATIONS**

There are no anticipated environmental implications associated with the proposed Zoning By-law amendment. Any landscaping on site will be addressed through the Site Plan Control process.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Thriving Communities
- Economic Growth and Diversification

## **APPLICATION PROCESS TIMELINE STATUS**

This application (D02-02-20-0035) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the additional time needed to resolve issues requiring resolution.

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Proposed Site Plan

Document 5 Proposed Building Elevations

## **CONCLUSION**

Staff are of the opinion that the proposed development will provide additional housing options to residents while enabling the usage of transportation alternatives to automotive vehicles. Overall, the proposal supports and maintains the intent of the

Official Plan, the Scott Street Secondary Plan, the Scott Street Community Design Plan, relevant Urban Design Guidelines, as well as the new R4 and Infill provisions.

**DISPOSITION**

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Krista O'Brien, Program Manager, Tax Billing and Control, Finance Services Department (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



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE SITE PLAN / PLAN D'EMPLACEMENT	
D02-02-20-0035	20-1060-L	<b>243, 245 av. Hinchey Ave.</b>	
D07-12-20-0056		 Area A to be rezoned from R4UB to R4UB[XXXX] Secteur A devant être rezoné de R4UB à R4UB[XXXX]	
I:\COI\2020\Zoning\Hinchey_243_245		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)	
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REVISION / RÉVISION - 2020 / 11 / 30			

## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 243 and 245 Hinchey Avenue.

1. To rezone the lands shown in Document 1 from R4-UB to R4-UB[XXXX]
2. Add a new exception, [XXXX], to Section 239—Urban Exceptions with provisions similar in effect to the following:
  - a) Add to Column II the text R4-UB[XXXXX]
  - b) Add the Column V, Provisions, the following text:
    - Maximum number of permitted dwelling units: 16;
    - No motor vehicle parking is required for a low-rise apartment building;
    - Despite Section 55, an accessory structure within the rear yard is permitted to be setback 0 metres from the interior side lot line and rear lot line;
    - Despite Section 161(13)(h) and (j), no balconies and no additional recession of the building façade is required.

## **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. An information session, organized by the Ward Councillors Office, was also held on June 18, 2020 via Zoom due to the ongoing pandemic. During the circulation period for the application, a total of 12 comments from residents were received by City staff. The Hintonburg Community Association also submitted comments during the circulation period.

### Public Comments and Responses

#### Comment:

The proposal is too dense for this community and will contribute to over-intensification. This community is already experiencing intensification pressures.

#### Response

The proposed development is consistent with the policies of the Official Plan, as well as the Scott Street Secondary Plan, both of which promote and encourage infill and intensification. The proposed development will contribute to a wide range of housing types with a variety of unit types.

#### Comment:

With other apartment buildings in the area, and the proposed building at 250-252 Hinchey Avenue, there will be a lot of development in the community with little parking spaces available. This will result in cars continually parked on Hinchey Avenue as well as neighbouring streets. How will the neighbourhood's streets handle all these cars? Where will people park? It is unreasonable to expect that everyone will utilize transit.

#### Response:

The proposal represents a form of Transit Oriented Development and supports the use of alternative modes of transportation. It is expected that the majority of residents will utilize alternative means of transportation, given the close proximity to Tunney's Pasture LRT station. Transportation staff were circulated on the proposal and have no concerns with it. It is noted that the proposal did not trigger a Transportation Impact Assessment (TIA) as per the TIA Screening Form.

Comment:

The proposal, and the unit increase, will result in increased noise levels in the community as well as increased traffic. The increase in traffic and vehicles parked on the street will cause safety issues for pedestrians.

Response:

It is not anticipated that the proposal will result in increased traffic, as no parking spaces are proposed and given the proximity of the site to an existing LRT station. The application was circulated to Transportation staff whom has no concerns with the proposal.

Comment:

Having no on-site parking, especially given the proximity to an LRT station, is reasonable and welcome.

Response:

The proposal represents a form of Transit Oriented Development and supports the use of alternative modes of transportation to an automotive vehicle.

Comment:

The proposal should incorporate affordable housing units, otherwise the developer will charge as much as possible for rent of the units.

Response:

The City's current Official Plan does not require that the applicant provide affordable housing. The cost of rent is determined by the Owner and is not something staff can consider as part of the review of this application.

Comment:

The proposal is less offensive than the one at 250-252 Hinchey Avenue as it is not in the middle of the block. However, the proposal should still comply with the requirements and should fit with the existing character of the area.

Response:

Urban Design and Planning staff reviewed the application and are satisfied it complies with Official Plan policies with respect to Urban Design and Compatibility as well as relevant Urban Design Guidelines. While some relief is required from the Zoning By-law, the majority of the proposal complies with the zoning provisions.



Comment:

Having a bike parking ratio of one space per unit is not sufficient, especially if it is anticipated that families will be living in the building.

Response:

As part of the proposal, the applicant is providing 18 bicycle parking spaces in an accessory structure in the rear yard, which is over and above 1 space per unit, and above the Zoning By-law requirement of 0.5 spaces/dwelling unit.

Comment:

Waste and bike parking should be located inside the building. I am concerned about odour and having garbage on the rear lot line. There should also be a designated area for large items, such as furniture.

Response:

Waste Collection Services staff determined that the garbage structure proposed for this development is satisfactory. Large items such as furniture will need to be disposed of at the responsibility of the Owner of the building and/or tenants.

Comment:

More amenity area should be provided, and the minimum required by the Zoning By-law should be met, if not exceeded.

Response:

The new R4 provisions have replaced amenity area with a minimum required landscaped area. The proposal exceeds the minimum requirement that 50 percent of the rear yard be comprised of soft landscaping, , with a total of 106 square metres of area provided in the rear for tenants of the building to utilize.

Comment:

Additional trees should be planted and should be cared for by an arborist. Permeable pavers should also be considered, to increase water infiltration on site.

Response:

Through the Site Plan Control review process, the applicant has added additional trees on site, specifically at the rear. All vegetation proposed on site is to be planted in accordance with requirements established by the Landscape Architect that prepared the Landscape Plan associated with the Site Plan application.

Comment:

The proposed development is not compatible with the streetscape and does not maintain the character of the community. This project is not in keeping with the scale of Hinchey Avenue and Scott Street, and would set a precedent for future development.

Response:

The proposal fits within the planned context identified in the Scott Street Secondary Plan and is considered to be in keeping with the scale and character of the surrounding area. Development Review applications are reviewed on a case-by-case basis, and a decision on one application does not represent a precedent for future applications.

Comment:

The proposed Minor Zoning By-law amendment application is not minor in nature. It will negatively impact the community.

Response:

The City classifies Zoning By-law amendment applications into two categories: major and minor. A major Zoning By-law amendment application involves a proposed change in use of a subject property. A minor Zoning By-law amendment, however, involves site-specific changes to performance provisions (i.e. setbacks, height, landscaped percentage, et cetera), but does not represent a change in use. When reviewing a Zoning By-law amendment application, City staff take existing policies and guidelines including (but not limited to) the Provincial Policy Statement, 2020, the Official Plan, any relevant Secondary Plan and/or Community Design Plan and Urban Design Guidelines. City staff also take feedback received during the circulation period, and the studies and plans submitted with the application into consideration.

### Community Organization Comments and Responses

Following the initial circulation of both the Zoning By-law amendment and the Site Plan Control applications, the Hintonburg Community Association (HCA) provided the following comments. No additional comments were received at the time this report was written.

Below is the original comment submission.

“The HCA is opposed to the development of this site as proposed.

The applicant is assuming that the R4 zoning review recommendations will be approved. The planning rationale includes the draft recommendations that support this

design but ignores those recommendations that do not support the design.

The HCA has submitted comments in opposition to a number of the proposed amendments to the R4 Zoning By-law.

### **Set-backs**

The HCA is opposed to the elimination of the south side yard set-back at 21 metres. This set-back is important to maintain privacy in adjacent rear yards. We agree that the present 6-metre requirement is not realistic.

Recommend a further 1.5 metres on the south side for a total of three metres. We understand that the increased front-yard set-back due to Hydro requirements impacts the location of the building on the lot. We do not oppose the reduction in rear-yard set-back ONLY IF there are no balcony projections into the rear yard.

### **Massing**

Lot consolidation is appropriate in this location, at the end of the block, adjacent to the Hydro sub-station. One of the two lots is vacant and underutilized.

The design reference to an existing neighbourhood building is appreciated. The prominent front entrance is typical of the homes on the street. We recognize that front facing balconies are not possible due to the Hydro set-back.

### **Privacy and overlook**

The location of the rear balconies at the centre of the building mitigates overlook problems. Recessing the balconies will further improve this.

New privacy fencing should be high enough to protect neighbouring residential rear yards.

### **Unit sizes and numbers**

The current proposal is overdevelopment, and exceeds even the still unapproved R4 zoning, which would permit a maximum of 12 units in a single structure. The inability to provide the required amenity space is of great concern, as is the need to provide both garbage and bicycle storage in the rear yard. A reduction in the number of units is needed to solve these issues.

### **Garbage**

Indoor storage is preferred since there is no danger of impacting neighbours. Provide space to store large items until pick-up (mattresses, furniture) and provide regulations to

tenants.

### **Landscaping**

Preservation of existing trees is very important. Ensure adequate tree protection during construction. Any trimming should be done by an arborist. Recommendation: at least one new tree should be planted in the rear yard; a variety that will provide shade will benefit both apartment residents and neighbours. Permeable pavers should be used to increase water infiltration and reduce run-off.

### **Bicycle parking**

One space per unit is not enough given that no car-parking is available (even though it exceeds the city requirement). Families who live without a car will have more than one bike, and year-round riders often have a winter bike in addition to their regular bike. Provide as much bike parking indoors as possible.

### **Parking**

The HCA is not opposed to reduced parking but the City must provide on-street permit parking, not only here, but in all the areas where proposed new R4 zoning which bans on-site parking is implemented.

On-street car-sharing spaces should be considered immediately. [We could paint them in ourselves! See the recent ward newsletter.]

### **Affordability**

We encourage the applicant to pursue the option of using CMHC programs to create affordable units.

### **Pre-Construction Courtesy**

Pre-blast inspection videos should be shared with the owner of the property inspected. Designated Substances Reports should be shared with the neighbours.”

Response:

In response to comments from the City staff and the public, the applicant has made a number of changes notably the following:

- the unit count has decreased from 18 to 16;
- the building has been made smaller with the Rear Yard setback increased to 8.8 metres to comply with Zoning requirements;

- increased Interior Side Yard Setbacks to 1.5 metres to comply with Zoning requirements;
- removal of balconies at the rear;
- increased landscaping in front and rear yards;
- increased bike parking. A total of 18 bike parking spaces will be provided two inside and 16 outside.

While bike parking and garbage remain outside, both will be enclosed in separate accessory structures. Both accessory structures will have a roof to prevent rodents/odour/snow build up (garbage) and to protect bikes of tenants.

While the proposal does not comply with all new R4 zoning provisions, it maintains the intent of the provisions and staff are of the opinion that the proposed development is appropriate and compatible with the surrounding area.



Document 5 – Proposed Building Elevations

**REAR ELEVATION**  
 100% PLAN

**NORTH SIDE ELEVATION**  
 100% PLAN

MAX PERMITTED HEIGHT 11.0m  
 TOP OF ROOF LEVEL  
 TOP OF 3RD LEVEL SUBFLOOR  
 TOP OF 2ND LEVEL SUBFLOOR  
 TOP OF ENTRANCE LEVEL SUBFLOOR  
 TOP OF LOWER LEVEL SLAB

PREFINISHED METAL CORNICE  
 BRICK VENEER  
 PREFINISHED CEMENTITIOUS FLAT PANEL SYSTEM  
 WOOD FENCE BEYOND

MAX PERMITTED HEIGHT 11.0m  
 TOP OF ROOF LEVEL  
 TOP OF 3RD LEVEL SUBFLOOR  
 TOP OF 2ND LEVEL SUBFLOOR  
 TOP OF ENTRANCE LEVEL SUBFLOOR  
 TOP OF LOWER LEVEL SLAB

243-245 HINCHAY AVENUE  
 REAR AND NORTH SIDE ELEVATIONS  
 DATE: 08/06/2019  
 DRAWN BY: A-201

PLAN #

**FRONT ELEVATION**  
 100% PLAN

**SOUTH SIDE ELEVATION**  
 100% PLAN

MAX PERMITTED HEIGHT 11.0m  
 TOP OF ROOF LEVEL  
 TOP OF 3RD LEVEL SUBFLOOR  
 TOP OF 2ND LEVEL SUBFLOOR  
 TOP OF ENTRANCE LEVEL SUBFLOOR  
 TOP OF LOWER LEVEL SLAB

WOOD FENCE BEYOND

PREFINISHED METAL CORNICE  
 BRICK VENEER  
 PREFINISHED CEMENTITIOUS FLAT PANEL SYSTEM  
 WOOD FENCE BEYOND

MAX PERMITTED HEIGHT 11.0m  
 TOP OF ROOF LEVEL  
 TOP OF 3RD LEVEL SUBFLOOR  
 TOP OF 2ND LEVEL SUBFLOOR  
 TOP OF ENTRANCE LEVEL SUBFLOOR  
 TOP OF LOWER LEVEL SLAB

WOOD FENCE BEYOND

243-245 HINCHAY AVENUE  
 FRONT AND SOUTH SIDE ELEVATIONS  
 DATE: 08/06/2019  
 DRAWN BY: A-201

PLAN #