

**4. Zoning By-Law Amendment – 284 King Edward Avenue**

**Modification au Règlement de zonage – 284, avenue King Edward**

**Committee recommendation**

That Council approve an amendment to Zoning By-law 2008-250 for 284 King Edward Avenue to change the zoning from Institutional to Traditional Mainstreet, as detailed in Document 2.

**Recommandation du Comité**

Que le Conseil approuve une modification du Règlement de zonage 2008-250 visant le 284, avenue King Edward afin de faire passer le zonage de « zone d'institutions » à « zone de rue principale traditionnelle », comme le précise le document 2.

**Documentation/Documentation**

1. Acting Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated November 27, 2020 (ACS2020-PIE-PS-0112)

Rapport du Directeur par intérim, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 27 novembre 2020 (ACS2020-PIE-PS-0112)

2. Extract of draft Minutes, Planning Committee, December 11, 2020

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 11 décembre 2020

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
11 December 2020 / 11 décembre 2020**

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

**Submitted on 27 November 2020  
Soumis le 27 novembre 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  
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**Ward: RIDEAU-VANIER (12)**

**File Number: ACS2020-PIE-PS-0112**

**SUBJECT: Zoning By-law Amendment – 284 King Edward Avenue**

**OBJET: Modification au Règlement de zonage – 284, avenue King Edward**

## **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 284 King Edward Avenue to change the zoning from Institutional to Traditional Mainstreet, 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 January 27, 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 du Règlement de zonage 2008-250 visant le 284, avenue King Edward afin de faire passer le zonage de « zone d'institutions » à « zone de rue principale traditionnelle », 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, 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.

## 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

284 King Edward Avenue

### Owner

Église évangélique baptiste d'Ottawa

## **Applicant**

John Moser, GBA Group

## **Description of site and surroundings**

The property is located south-west of the intersection of King Edward Avenue and Clarence Street. An existing church building currently houses the Église évangélique baptiste d'Ottawa. The property has approximately 30 metres of frontage along King Edward Avenue and 15 metres of frontage along Clarence Street. The site is located at the eastern edge of the Byward Market area in Lowetown and is surrounded by a mix of uses including commercial, residential and institutional.

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

The applicant seeks to change the zoning on the property from I1A S77 (Minor Institutional Zone, Subzone A, Schedule 77) to TM S77 (Traditional Mainstreet, Schedule 77). Schedule 77 currently affects this property, as it does other properties on the west side of King Edward Avenue from York Street to St. Patrick Street, and identifies the maximum permitted building heights for the area.

While no development is currently being proposed, the property owner would like to provide more development flexibility to the site in the future, as the size of the church no longer serves the needs of its congregation.

## **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. While some correspondences received were supportive of the proposal, others were not, expressing concerns over the negative impact this rezoning may have on the property and the potential fate of the heritage building.

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

### **Official Plan designation**

According to schedule B of the Official Plan, the property is designated Traditional Mainstreet, which are areas characterized by a mix of uses, contiguous storefronts and higher densities which create an interesting pedestrian environment and support the

use of transit.

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

The property is located within the Lowertown Character Area under Schedule B of the Central Area Secondary Plan. The area is envisioned to evolve into an urban village neighbourhood, featuring a mix of uses; however predominantly residential, with a significant heritage component.

### **Heritage**

The property at 284 King Edward Avenue is currently listed on the City's Heritage Register for having cultural heritage value as a well-crafted example of an early 20th century brick church. Heritage Planning staff strongly encourage its full retention and adaptive reuse in any future development on the site. Heritage Planning staff believe this property to be a strong candidate for designation under Part IV of the *Ontario Heritage Act*. Given its status on the Heritage Register, the owner is required to provide the City with 60 days notice of intent to demolish the building.

Heritage Planning staff do not have any concerns with the proposed zoning change to Traditional Mainstreet Zone.

### **Urban Design Review Panel**

This application was not subject to the Urban Design Review Panel process.

### **Planning rationale**

#### **Provincial Policy Statement**

The *Planning Act* requires that all City planning decisions be consistent with the Provincial Policy Statement (PPS) of 2014 and 2020, a document that provides further policies on matters of Provincial interest related to land use development.

The recommended Zoning By-law amendment is considered consistent with the matters of Provincial interest as outlined in the *Planning Act* and is in keeping with the PPS of 2014 and 2020 by promoting the efficient development of existing land use patterns and sustaining healthy, liveable and safe communities.

#### **Official Plan**

The site in question is designated Traditional Mainstreet on Schedule B of the Official Plan. Traditional Mainstreets are planned as compact, mixed-use, pedestrian-oriented

streets that provide for access by foot, cycle, transit and automobile. The proposed change in zoning to a Traditional Mainstreet Zone would bring this property in alignment with the policies of the Official Plan. Staff are of the opinion that the proposal is in line with Official Plan policies.

#### Central Area Secondary Plan

The property is located along the eastern edge of the Central Area Secondary Plan, within the Lowertown Character Area. The Secondary Plan policies seek to permit predominantly residential uses as well as limited commercial uses, while protecting and enhancing the heritage resources, character and features of Lowertown. The proposed Zoning By-law amendment seeks to change the zoning on the property to the same zoning found on properties located to its north and south. While the building's use is not proposed to be changed at this time, the uses permitted under the Traditional Mainstreet Zone are in line with the objectives of the Secondary Plan policies. Staff are of the opinion that the proposal is in line with the Secondary Plan policies.

#### Zoning By-Law 2008-250

The property is currently zoned I1A S77 (Minor Institutional Zone, Subzone A, Schedule 77). The Minor Institutional Zone permits a range of community uses, institutional accommodation and emergency service uses. Schedule 77 affects this property as well as others on the west side of King Edward Avenue from York Street to St. Patrick Street and identifies the maximum permitted building heights for the area.

The applicant is requesting to rezone the site to TM S77 (Traditional Mainstreet, Schedule 77). The Traditional Mainstreet Zone is a mixed-use zone which seeks to accommodate a broad range of uses including retail, service commercial, office, residential and institutional uses. The current use on the property, a place of worship, is a permitted use under the TM Zone.

The City had initiated the rezoning of various properties along King Edward Avenue between Bruyère Street and Rideau Street in 2013 to various instances of TM zones, depending on the immediate area (By-law 2014-24). The approach taken by City staff at the time was to leave institutional zones untouched to avoid encouraging their removal. The proposed rezoning remains in line with this approach seeing as the TM zone includes "place of worship" as a permitted use, and any future redevelopment will involve the heritage designation of the building under Part IV of the *Ontario Heritage Act*, which will encourage the re-purposing of the building rather than its replacement.

While Heritage staff consider this building as being a strong candidate for designation under Part IV of the *Ontario Heritage Act*, they also do not see any immediate threat to the building seeing as no development is currently being proposed. Heritage staff are working with the applicant and their heritage consultants in order to elaborate the heritage values associated with the site. The designation process would most likely take place in conjunction with any future development proposal. It is also important to note that the site is currently on the City's Heritage Registry, which means that a 60-day hold would be placed on any demolition application should one be filed prior to any development application.

Considering the above, staff are of the opinion that the proposed Zoning By-law amendment is appropriate for this site.

### **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

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

Councillor Fleury provided the following comment:

"It is a shame when a long-standing organization decides to move on from a community. That is the decision of the congregation of the Église Évangélique Baptiste d'Ottawa, located at 284 King Edward Ave. Understanding the congregation is thinking prudently in the decision to sell the property, they have made the choice to seek rezoning, from institutional to Traditional Mainstreet.

While no development is currently being proposed, the decision is being made to provide flexibility, however this zoning change would still allow a place of worship in the future.

Understanding this is a choice the congregation is making in order to better situate themselves financially, I feel there are some issues that still need to be resolved before any decisions can be made, including the outstanding concerns and request from the Lowertown Community Association for Heritage Designation.

The community first reached out to seek designation in 2014, and in 2017 it was placed on the City's Heritage Registry. Unfortunately, the building still remains undesignated.

I am encouraged that Heritage Staff consider this building as a strong candidate for designation, under Part IV of the *Ontario Heritage Act*. And although they do not see an

immediate threat to the building, it is fair and reasonable to understand why the community does – too many times we have seen the loss of heritage buildings in Lowertown. Heritage makes up the fabric that is our lives – it shaped how we became Ottawa, and it is an important piece to who we are today.

I am given some comfort that currently because the building is on the Heritage Registry, a 60-day hold would be placed on any demolition application should one be filed. This, to me, makes me hopeful that any request for re-zoning, such as this one, does not immediate mean we will lose this historic building.

But 60 days is still a scramble.

My request would be that committee pause the consideration of this rezoning, as there is no development planned at this time, so proper assessment of the building is done – without the fear of demolition looming.

I think we have the benefit of time to re-group and consider the value. Just because something is designated heritage, does not undervalue it as a property for new development. I think this sentiment needs to be felt more – and considered, when we look at how we want to shape the next part of our history.”

#### **LEGAL IMPLICATIONS**

There are no legal impediments to the adoption of the recommendations in this report.

#### **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with the recommendations of 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**

There are no accessibility impacts associated with this report.



## **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Thriving Communities

## **APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D02-02-20-0065) 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 Proposed Zoning By-law Amendment

Document 3 Consultation Details

## **CONCLUSION**

The Planning, Infrastructure and Economic Development department supports the application and proposed Zoning By-law amendment. The proposal is consistent with the Official Plan policies in the Traditional Mainstreet designation, as well as the policies included in the Secondary Plan. The proposed Zoning By-law amendment is appropriate for the site and maintains policy objectives. The amendment represents good planning and, for the reasons stated above, staff recommends approval of the Zoning By-law amendment.

## **DISPOSITION**

Office of the City Clerk, Council and Committee Services, to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; 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.

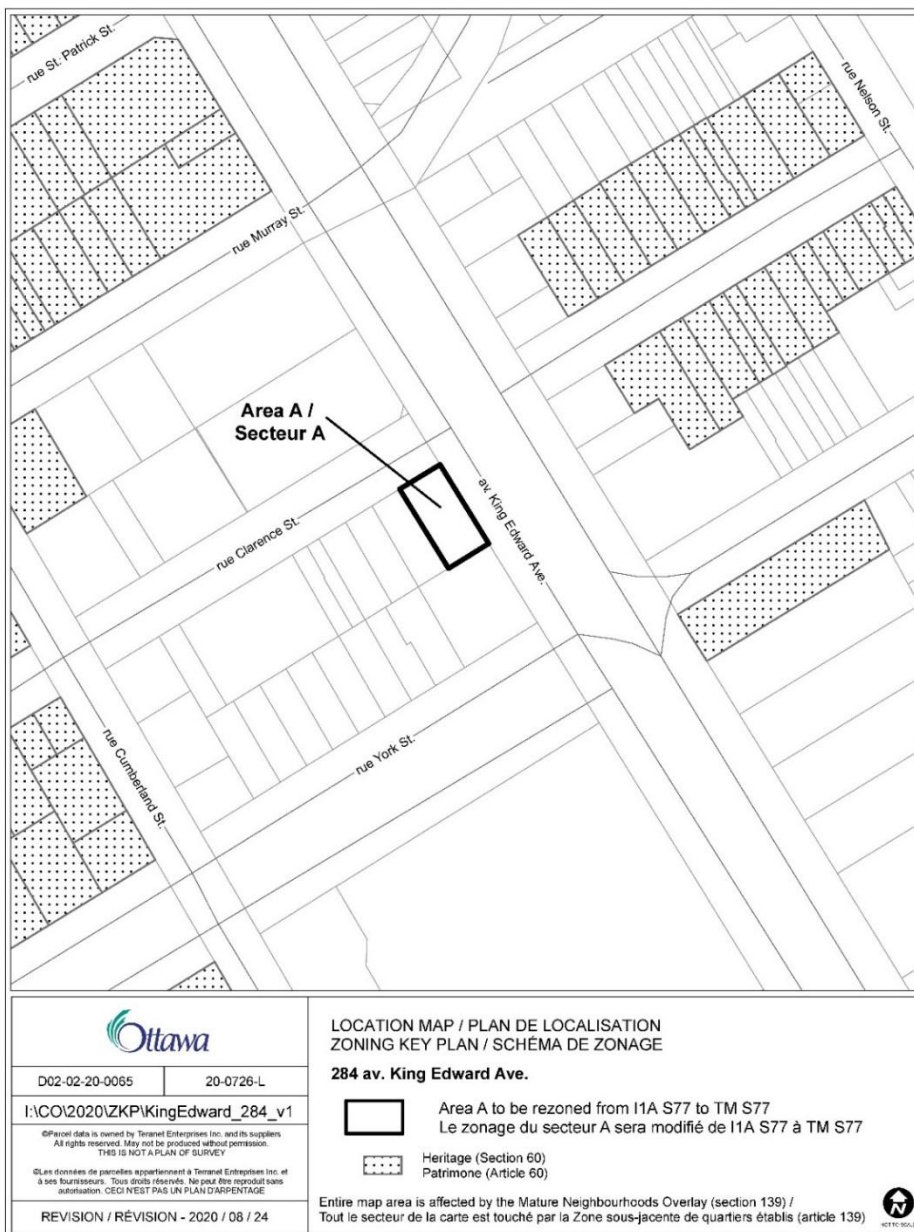
Legal Services, Innovative Client Services Department, to forward the implementing by-law to City Council.

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

## Document 1 – Location Map

For an interactive Zoning map of Ottawa visit [geoOttawa](http://geoOttawa).

A map showing the location of the property at the intersection of Clarence Street and King Edward Avenue.



**Document 2 – Proposed Zoning By-law Amendment**

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 284 King Edward Avenue:

1. Rezone the lands from I1A S77 to TM S77, as shown in Document 1.

### 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.

#### Public Comments and Responses:

1. What types of projects are being envisioned for this property? If no development is currently proposed, then why is the application being made at this time? We are concerned about the destructive implications which may arise with the proposed application. Local residents should have more input into what goes there.

Response: No development is proposed at the moment and the proposed zone includes the current use as a permitted use. There are no proposals to remove the church building. Any future development application of certain sizes will include a public consultation process.

2. The church should be recognized as an important piece of the historical and architectural heritage of Lowertown / Byward Village. Its partial or total demolition would be an act of vandalism. Why must this present cultural heritage asset, that shows a legacy of black history in the capital that has existed for many generations, be erased in order to have improvement? Can there not be positive progress instead?

Response: Heritage staff see this church building as a strong candidate for designation under the *Ontario Heritage Act*. There is no proposal for the demolition of the church building.

3. What will be the impact of the requested rezoning?

Response: The current application will only have the impact of changing the zone on the property to the same zone found on neighbouring properties along King Edward Avenue. The Zoning By-law amendment will introduce more permitted uses to the property, typical of a traditional mainstreet in addition to permitting the current use on the property, a place of worship, which is to be maintained. There are no other development applications related to this property at this time.

Comments from the Lowertown Community Association:

The Lowertown Community Association understands the purpose of the TM-Traditional Mainstreet Zone and given the broad range of uses permitted in the zoning requested, we have grave concerns about the protection of French Baptist Church. The Lowertown Community Association sees an urgent need to complete the designation process for the church building and cannot support the proposed Zoning By-law amendment for 284-286 King Edward Avenue until the heritage designation process is completed.

The community expects thoughtful and sensitive development respecting and enhancing the extant heritage assets.

We request that this file go first to the Built Heritage Sub Committee as there are numerous references to the impact that the heritage designation process will have on the final development. Alternatively, we request that the Heritage Designation process be completed prior to the rezoning application rising to Planning Committee.