

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
8 April 2021 / 8 avril 2021**

**and Council
et au Conseil
14 April 2021 / 14 avril 2021**

**Submitted on 24 March 2021
Soumis le 24 mars 2021**

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**

Contact Person / Personne ressource:

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Ward: SOMERSET (14)

File Number: ACS2021-PIE-PS-0044

SUBJECT: Zoning By-law Amendment – 250 City Centre Avenue

OBJET: Modification du Règlement de zonage – 250, avenue City Centre

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 250 City Centre Avenue to permit an expansion of a Storefront Industry from 800 square metres to 2,300 square metres and removal of the existing Light Industrial use, 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 April 14, 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 250, avenue City Centre, afin d’autoriser l’expansion d’une industrie ouverte au public (de 800 mètres carrés à 2 300 mètres carrés) et d’enlever l’utilisation actuelle « Industrie légère », comme le précise le document 2.
2. Que le Comité de l’urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et 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 14 avril 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

250 City Centre Avenue

Owner

Equity Realty Group Managed by District Realty

Applicant

Al Clark – Beyond the Pale Brewing

Description of site and surroundings

The property is located along the western side of City Centre Avenue, just north of Somerset Street West and south of Albert Street. It is currently occupied by a two to eight storey building, which is divided into multiple units for various tenants. Uses surrounding the site include commercial to the east and south, the O-Train corridor and low-rise to mid-rise residential to the west and the O-Train Bayview Station the north.

The property is designated as Mixed Use Centre in the Official Plan and is zoned Mixed-Use Centre with a holding provision (MC[398] S169-h). The schedule (S169) relates to maximum building heights while the exception [398] pertains to the specific performance standards for future redevelopment, as well as the maximum gross floor areas for a Storefront Industry, and a Light Industrial use, limited to a brewery. Both of these uses are capped at 800 square metres each. The holding provision relates to the future redevelopment of the property and, in particular, the requirement for a specific concept plan, the completion of specific studies, as well as site plan control approval, before redevelopment can take place in accordance with the exception. In the meantime, the continued use of the existing building is permitted.

Summary of requested Zoning By-law amendment proposal

The Applicant is seeking to amend the current zoning, to allow the expansion of the Storefront Industry, from the maximum permitted size of 800 square metres, under Exception 398, to 2,300 square metres. This would acknowledge the existing floor space and potential future expansion of the business. The existing Light Industrial use, limited to a brewery, shall be removed.

Brief history of proposal

A previous Zoning By-law amendment was considered and granted in 2014 which allowed a Light Industrial use, limited to a brewery, to a maximum of 800 square metres. The Storefront Industry provisions were later established under By-law 2018-171, and a further 800 square metres was permitted on site.

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by Council for Zoning By-law amendments.

The Dalhousie Community Association has indicated that it is supportive of the expansion.

Two residents voiced concern regarding the noise associated with the temporary outdoor patio made necessary because of provincial Covid-19 restrictions as well as noise coming from ventilation systems on site.

The noise related to the outdoor patio is temporary and is regulated by the City's Noise By-law 2017-255.

Complaints may be investigated by Ottawa By-law & Regulatory Services if the mechanical equipment or operation becomes a nuisance.

Official Plan designation

Official Plan

The Official Plan designates the property as Mixed Use Centre. Lands having a Mixed Use Centre designation are situated at strategic locations across the city, such as along the rapid transit system, and act as focal points of activity, not only for their local community but for the city at large. They are a critical element to the City's growth strategy and over the long term they will become complete communities. Mixed Use Centres are limited in number and represent opportunities for substantial growth. The density of development within Mixed Use Centres is to take advantage of the opportunities offered by transit and ease of access on foot and by bicycle. Through intensification and over time, Mixed Use Centres are to become more transit supportive. More jobs and housing at these locations will increase transit ridership as well as contribute to the diversity of land uses in the immediate area and foster the creation of vibrant centres of activity.

Other applicable policies and guidelines

Bayview Station District Secondary Plan

In addition to the Official Plan, the property is also located within the area of the Bayview Station District Secondary Plan. This plan envisions the property, as well as the surrounding lands, as evolving into a vibrant transit-oriented mixed-use community that provides a wide range of housing and employment opportunities. While the Secondary Plan has been created to guide the redevelopment of the area with new buildings of greater density, its land use policies speak to prohibiting uses that will have a negative effect on the pedestrian and cycling environment.

Planning rationale

The proposed expansion of the Storefront Industry will satisfy the policies of Mixed Use Centres as it will continue to support and compliment the range of uses anticipated for these lands. The existing use contributes to the vitality of the property as well as the overall surrounding area, and the expansion of said use will allow modest expansion of the business. People working at the property and those coming to purchase products will have the opportunity to travel to the site by means other than a private vehicle, especially considering the site's close proximity to the O-Train Bayview Station.

The proposed development will also make use of space within the existing building and as mentioned above, will not require the lifting of the holding provisions, which relate to the overall redevelopment of the site. There is sufficient parking on the property to meet the requirements of the Zoning By-law for the size of the proposed expansion.

In considering the proposed expansion, the size and scale of the operation is still minor in comparison to a commercial brewery. The nuisances associated with the operation are regulated by Section 99 of the Zoning By-law and can be managed through enforcement measures.

The Light Industrial use, limited to a brewery with a maximum gross floor area of 800 square metres, was included prior to the introduction of Storefront Industry provisions (Section 99). In 2018, the Storefront Industry use was applied to the site, with a maximum gross floor area of 800 square metres. The intent was for the Storefront Industry to replace the need for the Light Industrial use at this site; However, this was not the case, and both uses remained in error. The current operation better fits the definition of Storefront Industry, which is the small-scale production with associated processing, packaging and/or storage of food or beverages, and would include an ancillary restaurant, retail food store or retail store. As such, it is recommended that the

Light Industrial use be removed from the subject site and the additional permitted gross floor area be applied to the Storefront Industry use.

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 the recommendations of this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor McKenney provided the following comment:

"I support the plan to expand the business at 250 City Centre for increased restaurant and office space. It is exciting to see a local small business thriving despite the current challenging circumstances. This expansion will not only benefit this business, but the surrounding community as well."

ADVISORY COMMITTEE COMMENTS

There were no comments received by any advisory committees.

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the report recommendation.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with the recommendations in this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

FINANCIAL IMPLICATIONS

There are non direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility implications 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 Workforce

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-20-0113) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to workload volumes.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

CONCLUSION

It is the Department's position that the proposed expansion is consistent with the policies for a Mixed Use Centre. Employees and customers will have the opportunity to travel to the site by these alternative means, both today and in the future when the properties shown in the Secondary Plan develop as intended. The Department is recommending that this application for a Zoning By-law amendment, as detailed in Document 2, be approved.

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, Program Manager, Tax Billing and Control, Finance Services department (Mail Code: 26-76) of City Council's decision.

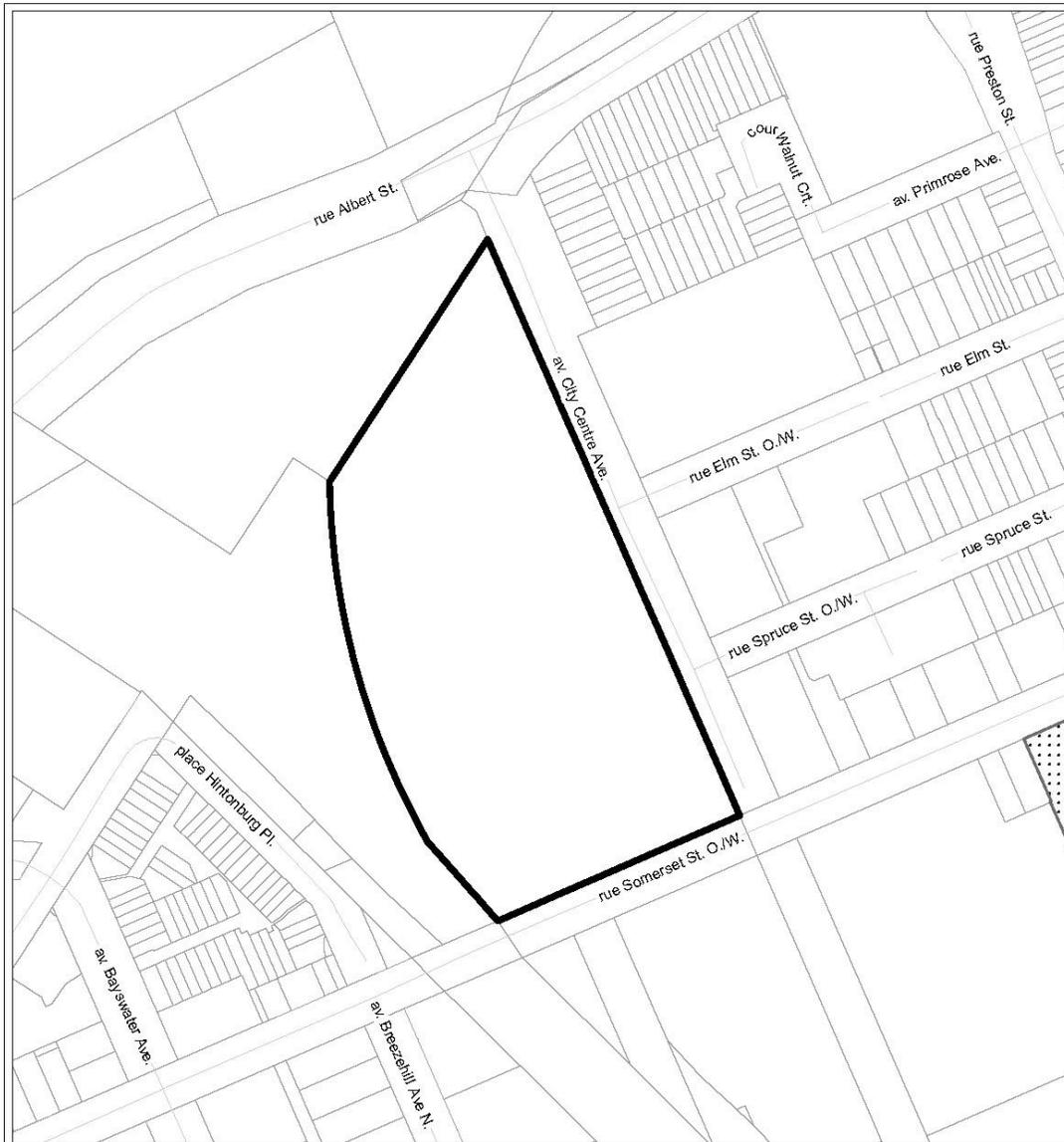
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-20-0113	20-1097-L	 250 av. City Centre Ave.	 Heritage (Section 60) Patrimoine (Article 60)
I:\CO\2020\Zoning\CityCentre_250			
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REVISION / RÉVISION - 2020 / 12 / 07			

Document 2 – Details of Recommended Zoning

Proposed Changes to By-law 2008-250 for 250 City Centre Avenue

Amend Exception 398 of Section 239 – Urban Exceptions to add the following:

a) In Column V, Provisions:

- Despite Section 99, a storefront industry comprising a brewery is limited to 2,300 m² gross floor area

Amend Exception 398 of Section 239 – Urban Exceptions to remove the following:

a) In Column II, Additional Land Uses Permitted:

- light industrial use, limited to a brewery

b) In Column V, Provisions:

- light industrial use, limited to a brewery, is limited to a maximum gross floor area of 800 square metres