

**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 25 March 2021
Soumis le 25 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**

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Ward: BAY (7) / BAIE (7)

File Number: ACS2021-PIE-PS-0004

**SUBJECT: Zoning By-law Amendment – 1010 and 1012 Byron Avenue, 117 and
121 Lockhart Avenue and 2123 and 2129 Honeywell Avenue**

**OBJET: Modification du Règlement de zonage – 1010 et 1012, avenue Byron,
117 et 121, avenue Lockhart, et 2123 et 2129, avenue Honeywell**

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to
Zoning By-law 2008-250 for 1010 and 1012 Byron Avenue, 117 and 121
Lockhart Avenue and 2123 and 2129 Honeywell Avenue to permit a three
storey 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 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 au Règlement de zonage 2008-250 visant les 1010 et 1012, avenue Byron, les 117 et 121, avenue Lockhart et les 2123 et 2129, avenue Honeywell, afin de permettre la construction d’un immeuble de trois étages, 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 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

1010 and 1012 Byron Avenue, 117 and 121 Lockhart Avenue and 2123 and 2129 Honeywell Avenue

Owner

Byron Rental Properties Ltd.

Applicant

Concorde Properties.

Architect

Robertson Martin Architects

1010 and 1012 Byron Avenue, 117 and 121 Lockhart Avenue and 2123 and 2129 Honeywell Avenue

Description of site and surroundings

The property is located on the south side of Byron east of Woodroffe Avenue in the Laurentian neighbourhood of Ottawa in Ward 7- Bay. The subject property is part of a Planned Unit Development (PUD). PUDs are defined in the Zoning By-law as two or more residential use buildings on the same lot. The current PUD consists of five low-rise apartment buildings, each containing six dwelling units, and six parcels. Given that all the parcels are under the same ownership, the lands are considered one "lot" per the definition in the Zoning By-law.

Currently, five of the land parcels accommodate individual two and a half storey apartment buildings. These parcels are known municipally as 1012 Byron Avenue; 117 and 121 Lockhart Avenue; and 2123 and 2129 Honeywell Avenue. The subject property, 1010 Byron Avenue, currently consists of elements that are shared between all PUD residents, including two single-storey, above-ground parking garages and a surface parking lot. Access is provided via Byron Avenue and Honeywell Avenue.

To the east of the site is a Ukrainian Orthodox Cathedral and a banquet and convention hall. Further to the east, the future Cleary Light Rail Transit (LRT) station is located approximately 250 m away within the Byron Linear Park.

South of the site is Honeywell Avenue, a local residential street. Beyond Honeywell Avenue, is a predominantly low rise residential neighbourhood.

To the west of the PUD, across Lockhart Avenue, a local residential street, is are Our Lady of Fatima English School and Our Lady of Fatima Catholic Parish.

North of the site is the Byron Linear Park. Further north is Richmond Road, an east-west Traditional Mainstreet with a mix of uses and building heights.

Summary of requested Zoning By-law amendment proposal

The site is currently zoned Residential Fourth Density Subzone N (R4N) which permits a range of low-rise housing forms with heights up to 11 metres. The requested zoning is

R4N[XXXX] (Residential Fourth Density Subzone N, Exception XXXX). The site is also located within the boundaries of the Mature Neighbourhoods Overlay. The requested amendment will facilitate the development of a three-storey residential building with 13 dwelling units on the 1010 Byron Avenue parcel. The applicant proposes the demolition of two existing garages within the surface parking area behind the existing buildings. The building is proposed to be approximately 11 metres in height. Outdoor amenity space is proposed on the west side of the new building, which is to be made up of both hard and softscape. The driveways and aisles through the property are proposed to be one-way, with vehicles accessing the site via the Byron or the existing Honeywell Avenue driveways and exiting onto Byron Avenue.

The proposed Zoning By-law amendment seeks to:

1. Rezone the subject lands from R4N to R4N[XXXX]
2. Urban Exception [XXXX] includes provisions to address the following:
 - a. Width of Private Way reduced from six metres to three metres to recognize the existing condition at 2123 Honeywell Avenue.
 - b. Reduce the minimum setback between a building and a private way from 1.8 metres to 0.0 metres.
 - c. Reduce the minimum setback for any garage or carport entrance from a private from 5.2 metres to 0.0 metres.
 - d. Minimum setback from east lot line is 5.4 metres, whereas 7.5 metres is required.
 - e. The proposed development is exempt from landscaping provisions for parking lots.

Brief history of proposal

The subject Zoning By-law amendment application (D02-02-20-0046) and concurrent Site Plan Control application (D07-12-20-0083) were received on June 17, 2020 and were deemed complete by staff in accordance with the *Planning Act* and city policy on June 26, 2020.

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications.

Comments were received from 18 residents during the application review process, some residents sent multiple comments. The majority of the comments opposed the plan to have all traffic leave the site by Honeywell Avenue.

Changes were made since the original submission to address public and technical review comments including changing the direction of traffic flow on the site to provide a two-way access to and from the site from Byron Avenue and a secondary entrance-only access on Honeywell Avenue.

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

Official Plan designation

The site is located within the General Urban Area designation as shown on Schedule B of the City's Official Plan.

Other applicable policies and guidelines

The site is within the boundaries of the Cleary and New Orchard Area in Volume 2b of the Official Plan. The Cleary and New Orchard Area-Specific Policies provide strategic planning direction to guide future development and redevelopment of lands that are in close proximity to Cleary and New Orchard stations.

Urban Design Guidelines for Low-Rise Infill Housing apply to the proposal. The City of Ottawa's Urban Design Guidelines for Low-rise Infill Housing are a series of design guidelines for infill housing to help fulfill some of the design strategies for Ottawa as outlined in the Official Plan. It is intended as a basic framework for the physical layout, massing, functioning and relationships of infill buildings to their neighbours.

The Urban Design Guidelines for Transit Oriented Development apply to all development within a 600-metre walking distance of a transit station. These guidelines state that people are more likely to choose transit if they can easily walk between destinations at the beginning and end of their trip. This can be achieved through providing increased densities, mixed-uses and pedestrian-oriented design within easy walking distances of high-quality transit. The guidelines speak to land use, site layout, built form, pedestrians and cyclists, vehicles and parking, and streetscape and the environment.

Urban Design Review Panel

The property is within a Design Priority Area however, as the proposed development does not propose an increase in height or density and the proposed building is located internal to the site and is not entirely visible from the public realm, the application is not subject to the Urban Design Review Panel process.

Planning rationale

This application has been reviewed under the consolidated Official Plan (2003) and amendments in effect from Official Plan Amendment 150 (OPA 150).

The site is designated as General Urban Area (Section 3.6.1), which permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstance. Residential intensification through infill will respond to the existing character to enhance desirable patterns and built form, while also achieving a balance of housing types and tenures.

In the General Urban Area (3.6.1) designation, building heights will continue to be predominantly low-rise (up to four storeys), and development will be evaluated against compatibility with the existing context and planned function of the area. The application proposes a low-rise product of three-storeys, which is in keeping with Policy 3.6.1 above.

Section 2.2.2 – Managing Growth Within the Urban Area

Section 2.2.2 of the Official Plan explains that managing intensification within the Urban Area speaks to support intensification in the interior portions of stable, low-rise residential neighbourhoods where development will enhance and complement desirable characteristics, as well as the area's pattern of built form and open spaces. The subject properties are in an area zoned for low-rise apartment buildings with existing development on the site establishing a similar built form.

All intensification will occur in accordance with the provisions of Section 2.5.1 and 4.11, dealing with matters of urban design and compatibility.

Section 2.5.1 – Designing Ottawa

Tools and design objectives for new development are provided in Section 2.5.1 to guide compatibility and a high quality of design. The application supports the Design Objectives of the Plan listed below as follows:

1. To enhance the sense of community by creating and maintaining places with their own distinct identity.

The proposal maintains the distinct identity of the area by providing a similar built form as what exists on the subject lands.

2. To define quality public and private spaces through development.

The proposal improves upon the private space by increasing landscaped buffers to the properties to the east as well as providing additional landscaped and private amenity area within the PUD.

3. To create places that are safe, accessible and are easy to get to, and move through.

The proposal provides housing within walking distance of the Cleary LRT station as well as amenities such as schools, parks and commercial development along Richmond Road. The circulation on the site has been reconfigured to provide ingress/egress from Byron Avenue and an access only from Honeywell in order to improve traffic flow on the site and to ensure that traffic interior to the neighborhood is limited. Additionally, the proposed development includes two new accessible parking spaces and a barrier-free entrance.

4. To ensure that new development respects the character of existing areas.

The proposed development respects the character of the existing area by providing a similar built form to what exists on the subject lands.

5. To consider adaptability and diversity by creating places that can adapt and evolve easily over time and that are characterized by variety and choice.

The proposal contributes to a range of housing choices in the Urban Area.

6. To understand and respect natural processes and features in development design.

There are no significant natural features on the subject lands. Trees on the subject lands and on adjacent properties will be retained through development and additional landscape plantings will be provided.

7. To maximize energy-efficiency and promote sustainable design to reduce the resource consumption, energy use, and carbon footprint of the built environment.

The proposal provides an efficient use of municipal infrastructure and facilitates housing that reduces car dependence.

Section 4.11 – Urban Design and Compatibility

New development is reviewed and evaluated using the policies of Section 4.11, which address urban design and compatibility. The purpose of reviewing these design aspects is to ensure that new development is sensitive and compatible to the existing context while providing appropriate transitions between densities and land uses.

Section 4.11 references compatibility of new buildings with their surroundings through setbacks, heights, transitions, colours and materials, orientation of entrances, location of loading facilities. The proposed building is compatible in scale and design with the existing two and a half storey buildings on the site and the surrounding single and semi-detached dwellings. The development is appropriately setback from the residences on Honeywell Avenue and increases soft landscaping provided along the eastern property line. While the proposed development has been located internal to the site and will not be fully visible from Byron Avenue or Honeywell Avenue, the proposed development also uses a brick colour that is prevalent on the other buildings within the PUD. To maintain a high quality, obstacle free pedestrian environment, the main building entrance faces the main entrance to the site off of Byron Avenue and is located adjacent to a barrier free parking space. Garbage is located internal to the building on the westerly building face to provide appropriate buffering from surrounding properties.

Cleary and New Orchard Area

Within Volume 2B – Site Specific Policies of the City’s Official Plan, the site is located within the Cleary and New Orchard area and is designated as Mid-Rise Park Frame on Schedule A and are adjacent to Byron Avenue an Active Frontage on Schedule B.

Section 3.3 Low – and Mid-Rise Park Frame

The policies allow for a variety of residential uses including detached, semi-detached dwellings, town houses, stacked townhouses, duplexes, triplexes and low and mid-rise apartments up to six-storeys in the designation. The proposal provides a low-rise apartment in alignment with the Cleary and New Orchard Area policies.

Section 4.3 Active Frontages

The proposed building is located interior to the site and will not have frontage on Byron Avenue. Additionally, no new driveways off of Byron Avenue are proposed. As such no impacts to the public realm are anticipated.

Staff are satisfied that the requested Zoning By-law amendment for a three-storey apartment is consistent with the Official Plan and represents good planning. The proposal allows for intensification within an existing built form that is consistent with the

surrounding context and includes site improvements. This includes landscaping that ensures compatibility and desirable spaces in relation to surrounding residential properties. The proposal represents appropriate residential intensification within the Urban Area and provides a built form that is consistent with the Official Plan.

Zoning By-law

The subject lands are located within the boundaries of the Mature Neighbourhoods Overlay. As per Part 5, Section 139 of the Zoning By-law, a Streetscape Character Analysis is not required as the proposed development is located in a Planned Unit Development and is an apartment dwelling less than 14.5 metres tall.

The applicant has requested several reductions to the Residential Fourth Density zoning provisions to facilitate the development of the proposed three-storey residential building as follows:

- Reduction in Private Way width from 6.0 metres to 3.0 metres.

The applicant has proposed one-way circulation through the site with a 6-metre fire access provided from Byron Avenue. The Transportation section has reviewed the application and is satisfied that logical circulation will be provided and no impacts are anticipated.

- Reduction of interior side yard setback from 7.5 metres to 5.4 metres along the easterly lot line adjacent to the Ukrainian Orthodox Church.

The existing garages are setback approximately 1.6 metres from the eastern property line. The proposed condition increases the setback to 5.4 metres from the east property line to the proposed building and provides a one metre landscaped strip along the property line. There are no impacts anticipated as a result of this reduction.

- Reduction in the minimum setback between a building and a private way from 1.8 metres to 0 metres.

The reduction will facilitate parking at grade, under the proposed building. The purpose of this setback is to ensure that units are screened from headlights on the Private Way and to ensure safe access into buildings. There are no windows at grade or entrances to the proposed building where the reductions are sought.

- Reduction in the minimum setback for any garage or carport entrance from a private from 5.2 metres to 0 metres.

The reduction is required to facilitate the proposed parking spaces at grade, under the proposed building. As circulation is one-way through the site in the location of the overhang, no vehicle conflicts are anticipated as a result of cars maneuvering into or out of the proposed parking spaces.

- The proposed development is exempt from the Landscaping Provisions for Parking Lots.

The internal portions of the site are currently almost entirely hardscaped, the proposal will improve upon the existing condition by increasing the landscaped area and providing additional landscaped buffer to adjacent properties. Additionally, the proposed new building breaks up the parking area and provides a consolidated green space on the site.

The department supports the proposed Zoning By-law amendments and is of the opinion that the proposal is consistent with the intent of the By-law and represents appropriate intensification that is compatible with its surroundings.

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 report.

COMMENTS BY THE WARD COUNCILLOR

The Ward Councillor is aware of this report to committee.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications to this report.

ASSET MANAGEMENT IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

The new building will be required to meet the accessibility criteria contained within the Ontario Building Code. The *Accessibility for Ontarians with Disabilities Act* requirements for site design will also apply and will be reviewed through the Site Plan Control application.

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: D02-02-20-0046) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity of the application.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Site Plan and Elevations

CONCLUSION

The Planning, Infrastructure and Economic Development Department supports the application and proposed Zoning By-law amendments. The proposed development is an appropriate example of infill and intensification within the General Urban Area. The new three-storey apartment building will provide a built form that is compatible with its surroundings and respects the relationships and character of adjacent properties. The

development fits well in its context and the requested amendments conform with the Official Plan and are consistent with the Provincial Policy Statement.

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.

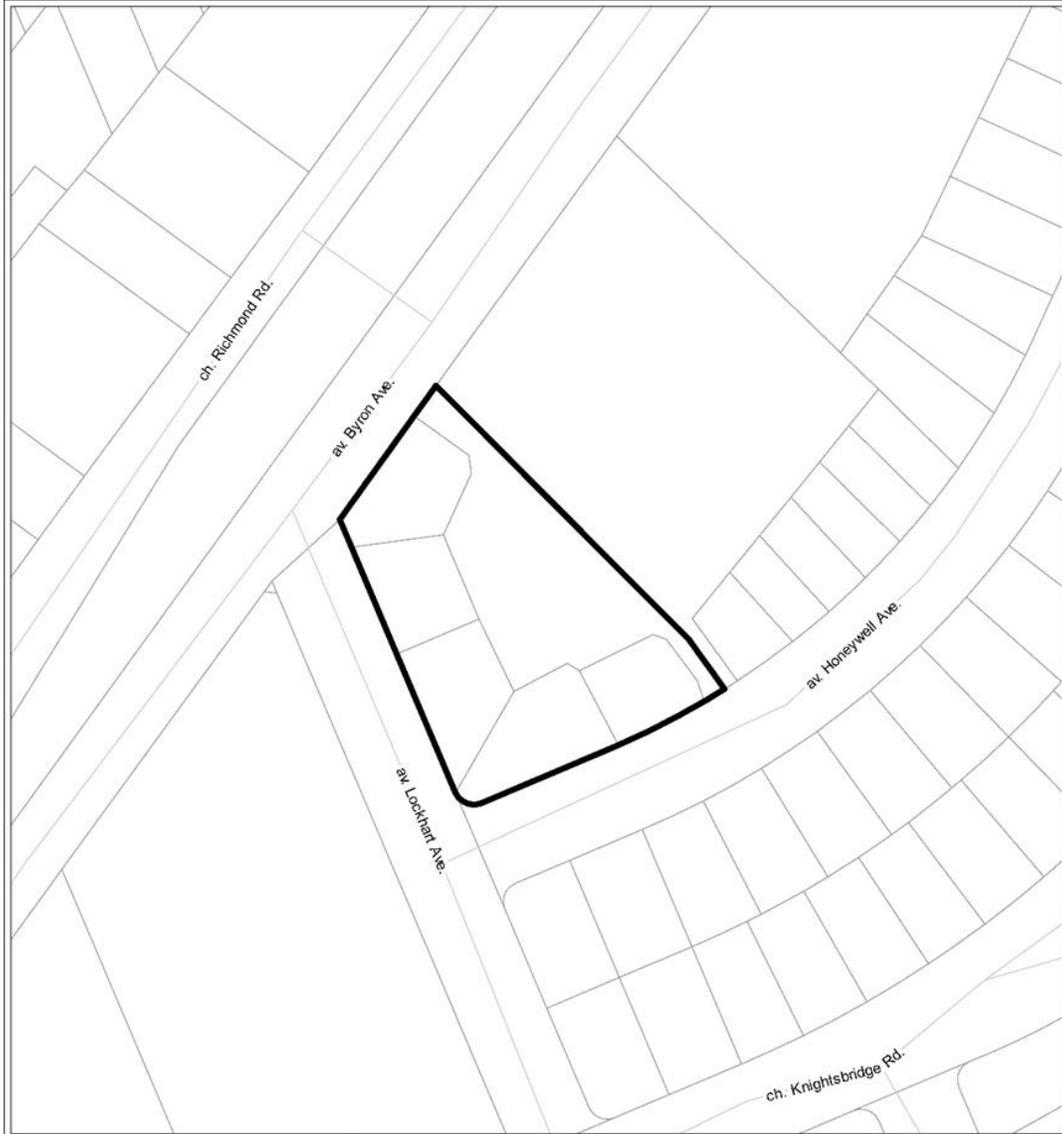
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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

For an interactive Zoning map of Ottawa visit geoOttawa.



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE SITE PLAN / PLAN DE EMPLACEMENT	
D02-02-20-0046 D07-12-20-0083	20-0561-L		1010, 1012 av. Byron Ave. 117, 121 av. Lockhart Ave. 2123, 2129 av. Honeywell Ave.
I:\CO\2020\Zoning\Byron_110_Lockhart_121			
<small>©Parcel data is owned by Terranet Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.</small> <small>©Les données de parcelles appartiennent à Terranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE</small>		Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) / Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)	
REVISION / RÉVISION - 2020 / 07 / 07			

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1010 and 1012 Byron Avenue, 117 and 121 Lockhart Avenue and 2123 and 2129 Honeywell Avenue Rezone the lands shown in Document 1 as follows:

- From R4N to R4N[XXXX]
- Amend Section 239, Urban Exception [XXXX], by adding provisions similar in effect to the following:
 - In Column V, add the following provisions:
 - The width of a private way may be 3 metres.
 - Minimum Setback for any wall of a residential use building to a private way is 0.
 - Minimum setback for any garage or carport entrance from a private way is 0 metres.
 - For a building at 1010 Byron, minimum setback from east lot line 5.4 metres.
 - The provisions of Table 110(1)(a) and (b) do not apply.

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. Eighteen comments from surrounding residents were received, five residents had questions about the application and the remainder had comments.

Public Comments and Responses

Comment:

The one-way nature of the traffic flow through the complex would force all of the apartment traffic to exit onto Honeywell Ave. This will not only increase the volume of traffic on Honeywell Ave but will also increase the probability of accidents occurring.

Response

As a result of the comments received, the applicant revised the application to change the on-site traffic circulation so that there is a two-way entrance/exit on Byron Avenue and a secondary access to the site from Honeywell Avenue. The location of the existing driveways will not change.

Comment:

If they are eliminating the parking garages where are all the tenants supposed to park?

Response:

Parking and circulation on the site will be reconfigured to be more efficiently organized and parking will be provided under the proposed building. Nineteen parking spaces will be required for the PUD. Twenty-four parking spaces, including two barrier free parking spaces, have been provided.

Comment:

If the laneway is going to be so narrow they can only accommodate one way traffic, will there be sufficient room for an ambulance or fire trucks?

Response:

The private driveway is a standard 3 metre wide one-way driveway, a 6 metre wide fire access is provided from Byron Avenue. Transportation has reviewed the plan and has no concerns with the proposed circulation.

