

Subject: Zoning By-law Amendment – 2, 4, 10 and 12 Spruce Street

File Number: ACS2022-PIE-PS-0134

Report to Planning Committee on 27 October 2022

and Council 9 November 2022

**Submitted on October 11, 2022 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

Contact Person: Nader Kadri, Planner II, Development Review Central

613-580-2424, 25193, Nader.Kadri@ottawa.ca

Ward: Somerset (14)

Objet : Modification du Règlement de zonage – 2, 4, 10 et 12, rue Spruce

Dossier : ACS2022-PIE-PS-0134

Rapport au Comité de l'urbanisme

le 27 octobre 2022

et au Conseil le 9 novembre 2022

**Soumis le 11 octobre 2022 par Derrick Moodie, Directeur, Services de la
planification, Direction générale de la planification, des biens immobiliers et du
développement économique**

**Personne ressource : Nader Kadri, Planner II, Examen des demandes
d'aménagement centrale**

613-580-2424, 25193, Nader.Kadri@ottawa.ca

Quartier : Somerset (14)

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 2, 4, 10 and 12 Spruce Street, as shown in Document 1, to permit the existing non-complying parking arrangement, 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 9 November 2022 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 les 2, 4, 10 et 12, rue Spruce, des biens-fonds illustrés dans le document 1, afin de permettre l’entente de stationnement non conforme existante, 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 9 Novembre 2022 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision.

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

2, 4, 10 and 12 Spruce Street

Owner

Adrian Gatrill and Diana Gatrill

Applicant

Krista Libman, Soloway Wright LLP

Description of site and surroundings

The subject site is located at the intersection of Spruce Street and Booth Street in the Centretown West neighbourhood. The portion of the site comprised of 2 and 4 Spruce Street has a combined area of 201.05 square metres, with a frontage of 10.11 metres on Spruce Street and a depth of 20.13 metres. The portion of the site comprised of 10 and 12 Spruce Street has a combined area of 243.45 square metres, with a frontage of 12.04 metres on Spruce Street and a depth of 17.51 metres. The subject site presently contains a townhouse block with six units that was constructed in the early 1900s.

Summary of requested Zoning By-law amendment proposal

The purpose of the amendment is to support a non-complying parking arrangement that has been in place since 1984. If approved, the applicant will also need to adjust the legal instruments that were created through the 1988 severance to reflect today's parking arrangement through the Committee of Adjustment.

Brief history of proposal

The original townhouse block was constructed in the early 1900s without parking in the rear. In 1988, as part of a larger severance application, approval was granted for a shared rear lane which was never fully constructed. As it stands today, 2, 4, 10 and 12 Spruce Street have parking at the rear, and 6 and 8 Spruce Street, which are not subject to the Zoning By-law Amendment application, have landscaped rear yards. The amendment is to legalize an existing non-complying condition that has existed on the property since at least 1984.

DISCUSSION**Public consultation**

An information session was not requested by the Ward Councillor or local community association. A total of four comments were received during the commenting period related to the location and position of the development signs. No concerns were flagged relative to the Zoning By-law Amendment application.

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

Official Plan designation(s)

Current Official Plan

The subject site is designated 'General Urban Area' under Schedule B of the Official Plan. A broad scale of uses is permitted within this designation, from ground-oriented single-purpose to multi-storey mixed-use development.

New Official Plan

The site is located in the 'Downtown Core' where it is identified as an 'Evolving Neighbourhood'. A broad range of uses is permitted within this designation including the existing use of the site.

Other applicable policies and guidelines

The [Urban Design Guidelines for Low-rise Infill Housing](#) are also applicable to the site. These guidelines provide guidance for parking areas in urban communities.

Planning rationale

Based on the size and orientation of the subject site, and the placement of the existing townhouse block, it is not possible to meet the performance standards for the existing parking spaces within the City's Zoning By-law (2008-250).

Although the parking was not legally established, tenants of the townhouse block have been parking on or adjacent to the pedestrian and vehicular right-of-way that was established in 1988. Furthermore, parking has historically been permitted within rear yards off lanes, but this parking in question was not formally established and does not comply with today's standards. Had the full lane been constructed, in accordance with the 1988 severance, the legal condition for the property would have resulted in a 2.6 metre lane that would traverse the entirety of the property at the rear. The revised condition results in a similar amount of "hardscape" deployed in a manner that supports some parking for the townhouse block. The revised condition also provides 6 and 8 Spruce Street with landscaped rear yards.

The amendment supports the legal adoption of four compact parking spaces on the property, as well as a 1.2 metre pedestrian walkway to provide access to internal townhouse units. For all four parking spaces, a reduced parking spot width of 2.4 metres and length of 2.6 metres would be required. The spaces are presently accessed by driveways varying in width between 2.4 metres to 2.59 metres which is appropriate in this urban context as each individual driveway leads to two parking spaces. The location of the parking spaces is informed by the existing configuration of

lots, as well as the existing built condition which results in the parking space at 2 Spruce Street being located partially within the required corner side yard setback.

The four compact parking spaces are appropriate in this existing urban condition. Through this Application, the owners would also improve the existing paved surface with porous paving for the shared walkway/driveway which would help to mitigate stormwater runoff and improve the overall aesthetic of the property.

Staff do not foresee any adverse impacts resulting from the approval of this parking which has existed since the 1980's with no known issues.

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 Councillor is aware of the recommendations as outlined in the report.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility concerns with this application.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Thriving Communities

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-22-0030) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to workload volumes. Staff worked closely with the Applicant to resolve concerns through the initial circulation.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

CONCLUSION

Staff supports the Zoning By-law Amendment as the parking arrangement is functional and fits in with its highly urban context. The present condition has been in place since the 1980s and staff have no concerns formalizing its right. Through this application, the owners would also improve the existing paved surface with porous paving for the shared walkway/driveway which would help to mitigate stormwater runoff and improve the overall aesthetic of the property.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing & Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

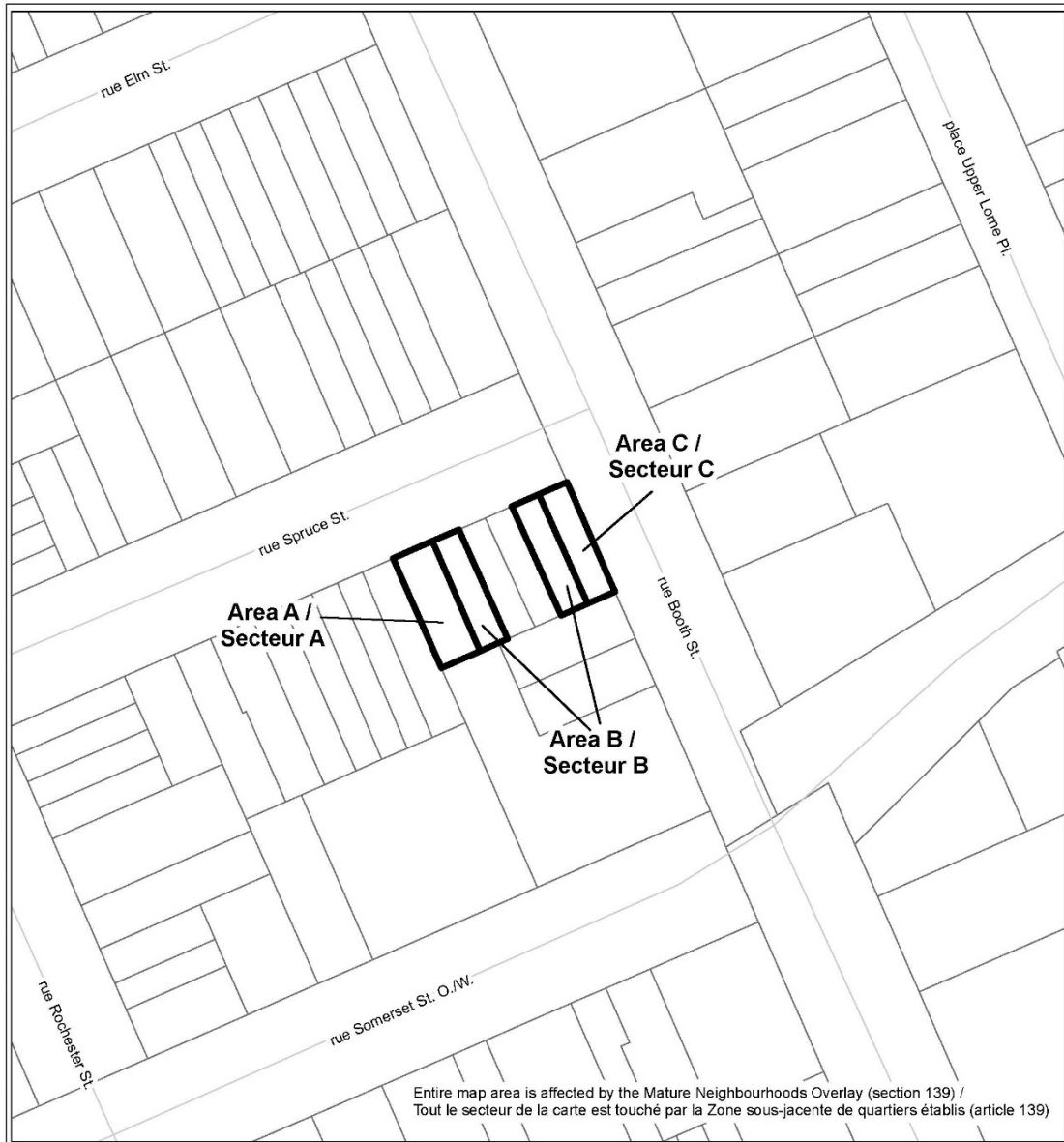
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.




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 location map of Ottawa visit geoOttawa



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-22-0030	22-0932-X	2, 4, 10, 12 rue Spruce Street	
I:\CO\2022\Zoning\Spruce_2_12\...rezone			Area A to be rezoned from R4UB to R4UB[xxx2] Le zonage du secteur A sera modifié de R4UB à R4UB[xxx2]
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.</small>			Area B to be rezoned from R4UB to R4UB[xxx3] Le zonage du secteur B sera modifié de R4UB à R4UB[xxx3]
<small>©Les données de parcelles appartient à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CE CI N'EST PAS UN PLAN D'ARPENTAGE</small>			Area C to be rezoned from R4UB to R4UB[xxx1] Le zonage du secteur C sera modifié de R4UB à R4UB[xxx1]
REVISION / RÉVISION - 2022 / 09 / 19			

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 2, 4, 10, and 12 Spruce Street:

1. Rezone the lands as shown in Document 1.
2. Add a new exception [xxx1] to Section 239, Urban Exceptions, with provisions similar in effect to the following:
 - a. In Column II, Applicable Zoning, add the text R4UB[xxx1]
 - b. In Column V, Provisions, add the following text:
 - i. a minimum driveway width of 2.4 metres is permitted
 - ii. a parking space may project up to 1.33 metres into the corner side yard
 - iii. the minimum width for a parking space is 2.4 metres
 - iv. the minimum length for a parking space is 4.8 metres
3. Add a new exception [xxx2] to Section 239, Urban Exceptions, with provisions similar in effect to the following:
 - a. In Column II, Applicable Zoning, add the text R4UB[xxx2]
 - b. In Column V, Provisions, add the following text:
 - i. a minimum driveway width of 2.59 metres is permitted
 - ii. no landscaping is required along driveway from the interior side lot line
 - iii. the minimum width for a parking space is 2.4 metres
 - iv. the minimum length for a parking space is 4.8 metres
4. Add a new exception [xxx3] to Section 239, Urban Exceptions, with provisions similar in effect to the following:
 - a. In Column II, Applicable Zoning, add the text R4UB[xxx3]
 - b. In Column V, Provisions, add the following text:
 - i. the minimum width for a parking space is 2.4 metres

- ii. the minimum length for a parking space is 4.8 metres

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 was not requested by the Ward Councillor or local community association.

A total of four comments were received during the commenting period. These comments did not include any concerns with the Zoning By-law Amendment but focused on the size and location of the development signs which are required by the *Planning Act*.