# Subject: Zoning By-law Amendment – 366 Winona Avenue

#### File Number: ACS2023-PRE-PS-0042

Report to Planning and Housing Committee on 5 April 2023

## and Council 12 April 2023

Submitted on March 23, 2023 by Derrick Moodie, Director, Planning Services, Planning, Real Estate and Economic Development

Contact Person: Masha Wakula, Planner I, Development Review Central

613-580-2400 ext. 27029; mmashawakula.vakula@ottawa.ca

Ward: Kitchissippi (15)

Objet : Modification du Règlement de zonage – 366, avenue Winona

Dossier : ACS2023-PRE-PS-0042

Rapport au Comité de la planification et du logement

le 5 avril 2023

et au Conseil le 12 avril 2023

Soumis le 23 mars 2023 par Derrick Moodie, Directeur, Services de la planification, Direction générale de la planification, des biens immobiliers et du développement économique

Personne ressource : Masha Wakula, Urbaniste I, Examen des demandes d'aménagement centrale

613-580-2400 ext. 27029; mmashawakula.vakula@ottawa.ca

Quartier : Kitchissippi (15)

#### **REPORT RECOMMENDATIONS**

- That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 366 Winona Avenue, as shown in Document 1, to permit relief from existing performance standards associated with the Residential Fourth Density Zone, Subzone UB (R4UB), as detailed in Document 2, to facilitate the development of two three-storey residential apartment buildings, each containing a total of eight dwelling units.
- 2. That Planning and Housing 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 12, 2023" subject to submissions received between the publication of this report and the time of Council's decision.

#### **RECOMMANDATIONS DU RAPPORT**

- Que le Comité de la planification et du logement recommande au Conseil d'approuver une modification du *Règlement de zonage* (n° 2008-250) pour le 366, avenue Winona, comme il est indiqué dans le document 1, pour permettre une dérogation aux normes de rendement associées à la souszone UB (R4UB) de la zone résidentielle de densité 4, comme il est décrit dans le document 2, afin de faciliter l'aménagement de deux immeubles d'appartements de trois étages comprenant chacun huit logements.
- 2. Que le Comité de la planification et du logement 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 12 avril 2023 », 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 <u>link to</u> <u>Development Application Search Tool</u>.

#### Site location

366 Winona Avenue

#### Owner

Falsetto Homes Inc.

## Applicant

NOVATECH Engineers, Planners & Landscape Architects, c/o Jeffrey Kelly

## Description of site and surroundings

The subject property is known municipally as 366 Winona Avenue. It is an irregular lot, with 20.09 metres frontage on Winona Avenue, has an area of 600 square metres and an irregular lot depth varying from 30.19 metres (along northern interior side lot line) and 30.18 metres (along southern interior side lot line). The subject site is presently occupied by a low-rise residential building and a surface motor vehicle parking area. The subject property is listed on the City of Ottawa's Municipal Heritage Register as a non-designated property.

The subject site is located on the western part of Winona Avenue, between Whitby Avenue and Richmond Road, in the Westboro neighbourhood. The area surrounding the subject property is characterized by low-rise residential buildings, with a mix of single family and multi-unit dwellings. To the south of the subject property is Richmond Road. To the east and west along Richmond Road are a mix of low-rise retail, restaurant, commercial and office uses. The Westboro Transitway Station (planned Westboro O-Train Station) and Dominion Transitway Station (planned Kichi Sibi O-Train Station) are located approximately 500 metres northeast and west (respectively) of the subject property.

#### Summary of proposed development

The purpose of this application is to accommodate the redevelopment of the site to construct two three-storey residential apartment buildings, each containing a total of eight one-bedroom dwelling units. No off-street motor vehicle parking spaces are

proposed. Accessory structures with bicycle parking spaces and waste storage are proposed at the rear with access off Winona Avenue.

# Summary of requested Zoning By-law amendment

The subject site is currently zoned Residential Fourth Density Zone, Subzone UB (R4UB).

The applicant has submitted a Minor Zoning By-law Amendment seeking relief from existing performance standards associated with the Residential Fourth Density Zone, Subzone UB (R4UB), to facilitate the development. Specifically, the applicant is seeking relief from the following zoning provisions:

- A minimum lot width of 10 metres is required for an apartment dwelling, low-rise, with a maximum of eight dwelling units. The existing lot is proposed to be severed into two new lots through separate consent applications to the Committee of Adjustment. Relief from the zoning provision is required to permit the minimum required lot width of 9.91 metres for each proposed lot.
- A minimum lot area of 300 square metres is required for an apartment dwelling, low-rise, with a maximum of eight dwelling units. The existing lot is proposed to be severed into two new lots through separate consent applications to the Committee of Adjustment. Relief from the zoning provision is required to permit the minimum required lot area of 299.5 square metres for each proposed lot.
- A minimum front yard setback of 4.5 metres is required. Relief from the zoning provision is required to permit a minimum front yard setback of 4 metres (for each proposed low-rise apartment building).
- A minimum rear yard setback of 7.5 metres is required (i.e., 25 per cent of the lot depth to a maximum of 7.5 metres). Relief from the zoning provision is required to permit a minimum rear yard setback of 7.0 metres (for each proposed low-rise apartment building).
- A minimum rear yard area of 25 per cent of the total lot area is required. Relief from the zoning provision is required to permit a minimum rear yard area of 23.5 per cent of the total lot area.
- A minimum interior side yard setback of 1.5 metres is required. Relief from the zoning provision is required to permit a minimum interior side yard setbacks of 1.2 metres along the shared lot line between the two lots that are to be created by severance, respectively: south interior side yard setback for Lot "A" and northern interior side yard setback for Lot "B".

#### DISCUSSION

#### **Public consultation**

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

An online community information session was held on January 30, 2023 by Councillor Leiper's office.

The Westboro Community Association and Hintonburg Community Association were present at the community information session. One public comment during the circulation process and two public comments during the community information session were received by City staff and were considered in the evaluation of this proposal. The public comments pertained to the following:

- Size of the units. Some concerns were expressed with non-provision of family size dwelling units. Only one-bedroom dwelling units are proposed by the applicant.
- Non-provision of off-street parking for the proposed development.
- Colour palette and materiality of the façade.
- Number of bicycle parking spaces. Community expressed the desire that developer explore the idea of providing more bicycle parking spaces to address the future residents' needs.
- Privacy for the neighbouring residents with the provision of side windows.
- Natural light conditions in basement units.
- Waste storage being located in the accessory structure in the rear of the property, its management and potential impact on the neighbouring properties.
- Reduction of greenspace on the subject property.
- Geotechnical considerations during construction.
- Compatibility and increase in density.

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

## Official Plan designation(s)

The City of Ottawa Official Plan (2021) designates the subject site as Neighbourhood with the Evolving Neighbourhood Overlay on Schedule B2 within the Inner Urban Transect on Schedule A. The following policies of the Official Plan (2021) support this application:

- The Official Plan (2021) sets "a minimum built height of two storeys" for low-rise apartment buildings, "generally permitting three storeys, and where appropriate, will allow a built height of up to four storeys to permit higher-density low-rise residential development" as set out in Policy 1 of Section 5.2.4 "Provide direction to the Neighbourhoods located within the Inner Urban Transect". The proposed development is for three-stroreys which directly supports the above-mentioned policy.
- The Official Plan (2021) states that motor vehicle parking is "prohibited on small lots or where parking cannot reasonably be accommodated in a manner consistent with the intent of this Plan" as set out in Policy 3 of Section 5.2.2 "Prioritize walking, cycling and transit within, and to and from, the Inner Urban Transect". The proposal is for two low-rise apartment buildings with no off-street parking provided that will not generate a large increase in parking demand. Additionally:
  - During the application circulation it was confirmed by transportation project manager that the development will not generate sufficient traffic to warrant Transportation Impact Assessment report.
  - Residential buildings with up to 12 dwelling units in Area X on Schedule 1A for Minimum Parking Requirements in the Zoning By-law do not require off-street parking.
  - No motor vehicle parking is permitted on a lot less than 450 square metres in area for a low-rise apartment dwelling in the R4-UA, R4-UB, R4-UC and R4-UD zones as set out in Section 161 (16) of the Zoning By-law.
- The Official Plan (2021) "allows and supports a wide variety of housing types with a focus on missing-middle housing" as set out in Policy 1 of Section 5.2.4 "Provide direction to the Neighbourhoods located within the Inner Urban Transect". The proposal is for two low-rise apartment buildings, each containing a total of eight dwelling units, which directly supports the above-mentioned policy.

 The Official Plan (2021) directs the distribution of "permitted densities in the Neighbourhood by [...] allowing higher densities and permitted heights, including predominantly apartment and shared accommodation forms, in areas closer to, but not limited to, rapid-transit stations, corridors and major neighbourhood amenities" as set out in Policy 5 of Section 6.3.1 "Define neighbourhoods and set the stage for their function and change over the life of this Plan." The proposed development is for two low-rise apartment buildings in close proximity to Richmond Road which accommodates a mix of low-rise retail, restaurant, commercial and office uses. The Westboro Transitway Station (planned Westboro LRT Station) and Dominion Transitway Station (planned Kichi Sibi LRT Station) are located approximately 500 metres northeast and west (respectively) of the subject property.

## Other applicable policies and guidelines

#### Richmond Road / Westboro Secondary Plan

The site is subject to the Richmond Road / Westboro Secondary Plan. The following policies of the Richmond Road / Westboro Secondary Plan support this application:

• The Richmond Road / Westboro Secondary Plan aims to "preserve the scale and character of established neighbourhoods and minimize any adverse impacts of intensification" as set out in Policy 1 of "Objective One: Intensification" of Section 2.2 "Overlying Objectives and Principles." While the requested reliefs associated with the proposal are with respect to the building setbacks, the reliefs are considered minor and necessitated mainly by the irregularity of the subject lot, and the proposal achieves "compatible intensification" by "providing appropriate setbacks" and "conforming to the Community Design Plan (CDP) design guidelines respecting built form, shared use of facilities, setbacks, relationship of the building to the adjacent neighbourhood's character, other policies of the Official Plan aimed at achieving compatible development while minimizing impacts on adjacent residential neighbourhoods" as set out in Policy 5 of "Objective One: Intensification" of Section 2.2 "Overlying Objectives and Principles."

#### Richmond Road / Westboro Community Design Plan

The site is subject to the Richmond Road / Westboro Community Design Plan, which aims "to identify appropriate locations for intensification and infill that will be compatible with adjacent land uses, such as in the vicinity of the Westboro Transitway Station" and "to ensure that infill development is well-integrated and compatible in scale and character with existing neighbourhoods" as set out in Section 1.2 "Objectives." The Community Design Plan also states that "residential intensification should help achieve a balance of housing types and tenures to provide a full range of housing for a variety of demographic profiles" as set out in Section 2.2 "Official Plan Designations."

The proposal supports the following overlying objective and principles of the Richmond Road / Westboro Community Design Plan as set out in Section 4.2 of the Plan:

 "Encourage intensification at a human scale that is compatible with the existing adjacent community on appropriate key potential redevelopment sites." The proposal introduces "intensification at a human scale that is compatible with the existing adjacent community" by preserving "the scale and character of established residential neighbourhoods."

## Urban Design Guidelines for Low-rise Infill Housing

The development proposal responds to the key streetscape design challenges in "Urban Design Guidelines for Low-rise Infill Housing" as set out in Section 1.0 and conforms to specific design guidelines:

- 1.1. Contribute to an inviting, safe, and accessible streetscape by emphasizing the ground floor and street façade of infill buildings. Locate principal entries, windows, porches and key internal uses at street level.
- 1.6. Design accessible walkways from private entrances to public sidewalks.

The proposal "contribute[*s*] to the animation, safety and security of the street" by providing a ground floor with principal entry, windows and key internal uses facing onto the street as set out in Subsection 3.1 "Siting" and provides "primary building entrances that are inviting and visible from the street" as set out in Subsection 3.3 "Architectural Style and Facades" in Section 3.0 "Building Design (Built Form)". Additionally, the mass of the proposed development is designed in a manner that "contributes to the quality of the streetscape" by maintaining the required building height as set out in Subsection 3.2 "Mass/Height."

# Heritage

366 Winona Avenue is listed on the City of Ottawa Heritage Register under Section 27 of the *Ontario Heritage Act*. Considering the development proposes full demolition of the heritage building, a Notice of Intention to Demolish was required under the *Ontario Heritage Act*. Heritage Planning Staff received the required Notice of Intent to Demolish, which expired on November 11, 2022.

Heritage Planning staff evaluated the subject property and determined it is not a strong candidate for individual designation. Although Heritage staff did not recommend designation, it was encouraged to consider salvaging historic materials, such as doors, windows, woodwork or fixtures. Deconstruction rather than demolition may allow for the reuse of construction materials such as brick and limestone. It was advised to consider environmental impacts as this project moves forward. Retention, salvage, and reuse are key considerations for heritage conservation and support the City's Energy Evolution strategy to reduce greenhouse gas emissions.

#### **Urban Design Review Panel**

The property is not within the Design Priority Area. Therefore, the Zoning By-law amendment application was not subject to the Urban Design Review Panel (UDRP).

#### **Planning rationale**

Having considered the policies in the Official Plan (2021), as highlighted in this report, staff are of the opinion that the proposed development is consistent with the policies of the Official Plan (2021).

The Richmond Road / Westboro Secondary Plan is applicable to the subject site and was taken into consideration by staff during the review of this Zoning By-law amendment application. The proposed development aligns with Overlying Objectives and Principles of the Secondary Plan and demonstrates a sensitive intensification of a low-scale character.

The subject site is currently zoned Residential Fourth Density Zone, Subzone UB (R4UB). Residential Fourth Density Zone permits a broad range of uses, including low-rise residential apartment buildings. The proposal is subject to a number of development standards, including with regards to the built form, that ensure the scale and character of the neighbourhood are maintained and new buildings are compatible with and complement the surrounding existing context.

Although the applicant is seeking reliefs from a number of provisions in the Zoning By-law with respect to built form, i.e., lot width, lot area, front yard setback, interior side yard setback, rear yard setback and rear yard area, the requested reliefs are considered minor in nature, necessitated by the irregular lot, and it is staff's opinion that the proposed development is consistent with the intent and purpose of the Residential Fourth Density Zone, Subzone UB.

## **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 arising from this report.

# COMMENTS BY THE WARD COUNCILLOR(S)

The Councillor is aware of the application related to this report.

# ADVISORY COMMITTEE(S) COMMENTS

There are no Advisory Committees' comments relating to this report.

# LEGAL IMPLICATIONS

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

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications.

#### **ASSET MANAGEMENT IMPLICATIONS**

The proposed development will add more load to the sanitary system, more demand on the drinking water system, and more load to the storm sewer and surface drainage system. A preliminary servicing review indicates that capacity is available in the drinking water and sanitary systems. Capacity is available in the storm sewer and surface drainage system if the design uses on-site stormwater management to address all drainage impacts. Since the proposal meets the threshold for Site Plan Control, a detailed servicing review will occur at site plan application.

#### **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

# ACCESSIBILITY IMPACTS

No accessibility barriers are anticipated with the proposed development. Each proposed building contains one accessible unit located on the ground floor. Review of the proposal at the Building Permit stage will ensure that the new development is accessible.

#### **APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D02-02-22-0056) was not processed by the "On Time Decision Date" established for the processing of Zoning Bylaw amendments due to delays associated with the receipt of the submission materials.

#### 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 Perspective View
Document 6 - Proposed Building Elevations (Front and Rear)
Document 7 - Proposed Building Elevations (Left and Right)

# CONCLUSION

Staff are of the opinion that the proposed three-storey low-rise apartment buildings, each containing eight residential units, are appropriate and will provide additional dwelling units within the Westboro neighbourhood in an appropriate manner.

Overall, the proposal conforms to the Provincial Policy Statement, the Official Plan (2021), and the Richmond Road / Westboro Secondary Plan. The proposed development upholds the intent of the Residential Fourth Density Zone, Subzone UB (R4UB) provisions within the current Zoning By-law. The proposed development is compatible with the surrounding area. Accordingly, Staff recommend this Zoning By-law Amendment be approved.

# 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 and Corporate 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, City Manager's Office to forward the implementing by-law to City Council.

Planning Operations, Planning Services to undertake the statutory notification.



#### **Document 1 – Location Map**

#### Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 366 Winona Avenue:

1. To rezone the lands as shown in Document 1.

2. Amend Section 239, Urban Exceptions, by adding a new exception [XXXX] with provisions similar in effect to the following:

- a) In Column II, "Applicable Zones", add the text R4UB [XXXX]
- b) In Column V, "Provisions", add the following:
  - i. Despite Section 162, Table 162A, for Low-rise Apartment, maximum of eight units, the minimum lot width is 9.9 metres;
  - Despite Section 162, Table 162A, for Low-rise Apartment, maximum of eight units, the minimum lot area is 299 square metres;
  - Despite Section 144 (1)(a) and (c) and Section 162, Table 162A, for Low-rise Apartment, maximum of eight units, the minimum front yard setback is 4.0 metres;
  - iv. Despite Section 162, Table 162B, endnote 4 and Section 144 (3)
    (a), for Low-rise Apartment, maximum of eight units, the minimum rear yard setback is 7.0 metres;
  - v. Despite Section 162, Table 162B, endnote 4 and Section 144 (3)
    (a), requiring rear yard area comprising 25 per cent of the total lot area, for Low-rise Apartment, maximum of eight units, the minimum rear yard area is 23.5 per cent of the total lot area.
  - vi. Despite Section 162, Table 162B and Section 144 (2) (a), for Low-rise Apartment, maximum of eight units, the minimum interior side yard setback for lot lines abutting another lot zoned R4UB[XXXX] is 1.2 metres.

#### **Document 3 – Consultation Details**

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

An online community information session was held on January 30, 2023 by Councillor Leiper's office.

The Westboro Community Association and Hintonburg Community Association were present at the community information session. One public comment during the circulation process and two public comments during the community information session were received by City Staff and were considered in the evaluation of this proposal. The public comments pertained to the following:

1. Size of the units. Some concerns were expressed with non-provision of family size dwelling units. Only one-bedroom dwelling units are proposed by the applicant.

<u>Response:</u> While the provision of family-size units is not a requirement for the proposed use on this size of the lot, the applicant was encouraged to provide two- and/or three-bedroom units in the proposed development during the review of the application by city staff.

2. Non-provision of off-street parking for the proposed development.

<u>Response:</u> As per Section 161 (16) (a) provision, no motor vehicle parking is permitted on a lot less than 450 square metres in area in the case of a Low-rise Apartment Dwelling.

3. Colour palette and materiality of the façade.

<u>Response:</u> Concerns with the choice of the colour palette and it's not keeping with the character of the Westboro neighbourhood were discussed at the January 30, 2023 community information session. The proposal responds to the key streetscape design challenges in "Urban Design Guidelines for Low-rise Infill Housing."

4. Number of bicycle parking space. Community expressed the desire that developer explore the idea of providing more bicycle parking spaces to address the future residents' needs.

<u>Response:</u> Currently, the proposal is compliant with the Zoning By-law provisions that regulate the number of bicycle parking spaces for the proposed development: 0.5 bicycle parking spaces per dwelling unit.

5. Privacy for the neighbouring residents with the provision of side windows.

<u>Response:</u> The concern was discussed at the January 30, 2023 community information session. The applicant demonstrated the size of the side windows on the proposed elevations.

6. Natural light conditions in basement units.

<u>Response:</u> The concern discussed at the January 30, 2023 community information session. The applicant demonstrated that the basement units have sufficient lighting through the sunken patios provided for each unit.

7. Waste storage being located in the accessory structure in the rear of the property, its management and potential impact on the neighbouring properties.

<u>Response:</u> The proposed development is compliant with Section 143 of the Zoning By-law. The garbage enclosure will be reviewed for conformity with the Solid Waste Management By-law at the Building Permit stage.

8. Reduction of greenspace on the subject property.

<u>Response:</u> The proposed development is compliant with Section 161 (15) provisions that regulate the sot landscaping requirements for Low-rise Apartment Dwellings in R4-UA, R4-UB, R4-UC and R4-UD zones.

9. Geotechnical considerations during construction.

<u>Response:</u> Geotechnical Investigation Report was part of the submission materials reviewed by city staff.

10. Compatibility and increase in density.

<u>Response:</u> Proposed Low-rise Apartment Dwelling, maximum of eight units, is a permitted use in R4UB. The requested reliefs are considered minor and necessitated by the irregular lot. The proposed development aligns with Overlying Objectives and Principles of the Secondary Plan, is consistent with the policies of the Official Plan (2021) and demonstrates a sensitive intensification of a low-scale character.



## Document 4 – Proposed Site Plan



Document 5 – Proposed Building Elevations (Front and Rear)



# **Document 6 – Proposed Building Elevations (West and East)**





**Document 7 – Proposed Street-level Views**