

**Subject: Zoning By-law Amendment – 1184, 1188 and 1196 Cummings Avenue**

**File Number: ACS2023-PRE-PS-0083**

**Report to Planning and Housing Committee on 5 July 2023**

**and Council 12 July 2023**

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

**Contact Person: Report Steve Belan, Planner, Development Review East**

**613-580-2424, extension 27591, Steve.Belan@ottawa.ca**

**Ward: Beacon Hill-Cyrville (11)**

**Objet : Modification du Règlement de zonage – 1184, 1188 et 1196, avenue  
Cummings**

**Dossier : ACS2023-PRE-PS-0083**

**Rapport au Comité de la planification et du logement**

**le 5 juillet 2023**

**et au Conseil le 12 juillet 2023**

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

**Personne-ressource : Steve Belan, urbaniste, Examen des demandes  
d'aménagement est**

**613-580-2424, extension 27591, Steve.Belan@ottawa.ca**

**Quartier : Beacon Hill-Cyrville (11)**

## REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1184, 1188 and 1196 Cummings Avenue, as shown in Document 1, to permit a six-storey apartment building with 188 units (R3Y[708] to TD1[XXXX]), as detailed in Document 2.
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 July 12, 2023,” 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 la planification et du logement recommande au Conseil d’approuver une modification du Règlement de zonage 2008-250 visant les 1184, 1188 et 1196, avenue Cummings, des biens-fonds illustrés dans le document 1, afin de permettre la construction d’un immeuble résidentiel de six étages abritant 188 logements (de R3Y[708] à TD1[XXXX]), comme l’expose en détail le document 2.
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 juillet 2023 », 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**

1184, 1188 and 1196 Cummings Avenue

**Owner**

TCU Development Corporation

**Applicant**

Fotenn Planning + Design

**Architect**

Ryan M Koolwine, Project1 Studio Incorporated

**Description of site and surroundings**

The 3,487 square metre site includes three properties, which are located just north of Ogilvie Road, on the west side of Cummings Avenue and the south side of Weldon Drive (Document 1). The properties are in the Cummings community. The subject property is within 800 metres of the Cyrville Light Rail Transit Station. This area is experiencing rapid redevelopment because of the LRT.

There are currently three, detached dwellings on the site, two of them are vacant and in disrepair. Abutting the site to the north, along Cummings (north side of Weldon Drive) is a one-storey building and parking lot used as a private community hall. Abutting the site to the south, along Ogilvie Road, is a gas station and car wash. East of the site, along Ogilvie Road is a retail plaza and surface parking lot. There is also a detached dwelling and stacked-townhouse complex to the east. A townhouse complex abuts the site to the west.

In general, the area is characterised by a mix of low- and high-rise residential uses, as well as commercial uses. The site is near Lux Place, which is currently under construction. This project consists of hotel and apartment complex, which includes four buildings ranging from eight to 36 storeys. Adjacent to this site is 1125 Cyrville Road, which is also being considered for a redevelopment that includes over 300 dwelling units.

There are several municipal parks within 300 metres of the site, there is also a large shopping plaza, including grocery approximately 400 metres from the site, along St. Laurent Boulevard.

## Summary of proposed development

The purpose of this Zoning By-law Amendment is to permit a six-storey, mid-rise rental apartment building containing 188, studio, one and two-bedroom units. Units range in size from approximately 33 to 70 square metres.

56 parking spaces are proposed (11 at grade and 45 underground). A total of 184 bicycle parking spaces are proposed at grade and within the underground parking garage.

A total of 1,325 square metres of amenity space is proposed, which includes shared outdoor space and private balconies (Documents 4 and 5).

A concurrent application seeking site plan control approval for the proposal has been submitted ([D07-12-23-0044](#)).



*Development Rendering (Building Superimposed Digitally)*

## Summary of requested Zoning By-law amendment

The existing R3Y[708] zone permits low-rise residential development, but not a mid-rise apartment. The requested TD1[XXXX] zoning permits a maximum building height of six storeys and allows for an apartment building, in line with the proposed development.

The exception is required to support a reduction in the parking space rate for residents from 88 to 38 parking spaces (deficit of 50 spaces). Visitor parking rate requirements are being met (18 spaces). Table 1 highlights TD1 zone provisions. A reduction to the vehicle parking is the only exception being requested.

**Table 1: TD1 Zoning Provisions**

<b>Zoning Provision</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Compliance</b>
Minimum Lot Area	None	3,487 m <sup>2</sup>	Yes
Minimum Lot Width	None	45.74 metres	Yes
Minimum Front Yard Setback	2 metres	3 metres	Yes
Minimum Interior Side Yard	3 metres	6 metres	Yes
Maximum Building Height	20 metres	18.45 metres	Yes
Maximum Building Height (15m from R1, R2, R3)	14.5 metres	14.5 metres	Yes
Minimum Residential Units/Hectare	52 units (150/ha)	188 units	Yes
Parking Space Rates	Resident = 88	Resident = 38	No
	Visitor = 18	Visitor = 18	Yes
Bicycle Parking Space Rates	94	184	Yes
Total Amenity Space	Total = 1,126 m <sup>2</sup>	Total = 1,325.34m <sup>2</sup>	Yes

## **DISCUSSION**

### **Public consultation**

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

The City has received comments from the public. Most are concerned with traffic increases. One person indicated that traffic backs-up south bound on Cummings Avenue while waiting for the light at Ogilvie. As a result, cars are blocked from trying to turn left into the gas station and this site, further backing up traffic into the Ogilvie intersection. This issue will be addressed through the site plan control process. Traffic

Services has recommended that this site have only right-in and right-out access onto Cummings.

Visitor parking was also raised. The area around the site has no opportunity for on-street parking and the nearest on-street parking is around 500 meters away. There is a concern that visitors would park illegally on private property. The applicant is looking to reduce the number of parking spaces for the tenants. However, they are providing the required number, 18 spaces for visitors.

### **Official Plan designation(s)**

The following Official Plan policies support the proposal:

- Section 2: Strategic Directions (intensification, promoting sustainable transit, 15-minute neighbourhood)
- Section 4: City-Wide Policies
  - Housing (diverse range of housing, promote diversity in unit size, support missing middle housing)
  - Urban Design and Design Priority Area (built form that frames street, minimizes impacts between vehicles and pedestrians, includes street trees, provide appropriate setbacks and stepbacks)
  - Support the Shift to Sustainable Modes of Transportation (reduce or eliminate parking within an 800-metre walking distance of LRT)
- Section 5: Transect, Designation and Overlay (Inner Urban, Minor Corridor, Evolving Overlay)
  - Supports mid- to high-density development where close to rapid transit, provided building heights are respected and provided sufficient infrastructure (water, sewer) exists

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

The following policies and guidelines are applicable to this Zoning By-law Amendment application:

#### **Inner East Lines 1 and 3 Stations Secondary Plan**

This plan establishes maximum building height and minimum densities within the study area. As per the plan, the property is permitted a building up to six storeys, with a minimum density of 150 units per hectare. Minimum densities are in place to ensure

transit-supportive development. This secondary plan is informed by the Cyrville Transit-Oriented Development Plan, summarized below.

Transit-Oriented Development Plans: Lees, Hurdman, Tremblay, St. Laurent, Cyrville and Blair

The Cyrville TOD Plan Area is approximately 99 hectares. The plan includes lands that are within a 10-minute walk to the Cyrville Station (800 metres). According to the plan, the area is expected to evolve into a more compact, dense, mixed-use precinct. It is understood that vacant and underutilized land parcels will re-development more quickly, whereas other parcels may not see redevelopment for some time. An increase of 6,200 people (living and working) is forecasted for the area in the next 10 to 20 years. Longer-term, 38,000 people and jobs are anticipated in this area.

Document 3 shows the Cyrville TOD Plan Area, which includes the subject property. According to the plan, the site is to be rezoned to TD1, through future redevelopment.

### **Urban Design Review Panel (UDRP)**

Since the site is located within a Design Priority Area (DPA), the proposal is required to be reviewed by the Urban Design Review Panel. Recommendations of the UDRP will be implemented through the site plan control approval process.

### **Planning recommendation and rationale**

Planning staff recommend approving the Zoning By-law Amendment for 1184, 1188 and 1196 Cummings Avenue, to amend the zoning from Residential Third Density, Subzone Y, Urban Exception 708 – R3Y[708] to Transit Oriented Development Subzone 1, Exception XXXX – TD1[XXXX]. Staff are recommending approval for the following reasons:

- The proposed development represents intensification of an underutilized site within the Inner Urban Area that is close to LRT, shopping, and greenspace.
- Mid-rise built form that contributes to housing diversity (smaller than average units).
- Meets building height allowances and density minimums outlined in the Inner East Lines 1 and 3 Stations Secondary Plan.
- Implements the zoning set out in the TOD plan (TD1).
- Underground parking enhances site design and function. Impacts on adjacent residential properties have been mitigated through massing, transitions, and

setbacks (20 metres from the rear property line, which serves as a buffer between the proposed and adjacent townhouse development to the west).

- Provides for street trees, to improve the public realm. Incorporates privacy measures such as fencing along the rear property line.
- Parking reduction coupled with an increase in bicycle storage will support sustainable modes of travel.
- Adequate servicing capacity (water and sewers).

### **Provincial Policy Statement**

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

### **RURAL IMPLICATIONS**

N/A

### **COMMENTS BY THE WARD COUNCILLOR(S)**

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

### **ADVISORY COMMITTEE(S) COMMENTS**

The Accessibility Advisory Committee has indicated to staff that they will be commenting on the plan. Accessibility issues will be addressed through the Site Plan Control approval.

### **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 servicing constraints identified for the proposed rezoning at this time. Servicing capacity requirements to be confirmed at time of site plan.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications.



## **ACCESSIBILITY IMPACTS**

This proposed development has been designed to meet the accessibility standards of the Ontario Building Code. There are features inside and out of the building to assist those with disabilities. Staff will work with the advisory committees to identify issues related to accessibility and address them through the review of the Site Plan Approval. The Zoning Amendments proposed by this report will not directly impact the Accessibility of this site.

## **CLIMATE IMPLICATIONS**

The proposed development supports reduced car ownership, through the provision of fewer vehicle parking spaces, while increasing the number of bicycle parking spaces. These measures will encourage more sustainable modes of travel in proximity to LRT.

## **ENVIRONMENTAL IMPLICATIONS**

Bird-safe design guidelines have been incorporated to minimize bird strikes. A Phase 1 Environmental Site Assessment (ESA) was submitted to evaluate the adjacent property (gas station) in terms of potential contamination. It was determined that there is no risk of contamination, therefore a Phase II ESA was not required.

## **APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D02-02-23-0031) 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 Details of Recommended Zoning

Document 3 Cyrville TOD Plan Area

Document 4 Site Concept

Document 5 Renderings

## **CONCLUSION**

The proposed Zoning By-law amendment is consistent with the City of Ottawa Official Plan and the East Lines 1 and 3 Stations Secondary Plan. This proposal will implement the zoning set out in the TOD plan (TD1). In staff's opinion, the proposed rezoning is

appropriate for the site and represents transit-supportive intensification. Staff recommends that the proposed Zoning By-law amendment be approved.

**DISPOSITION**

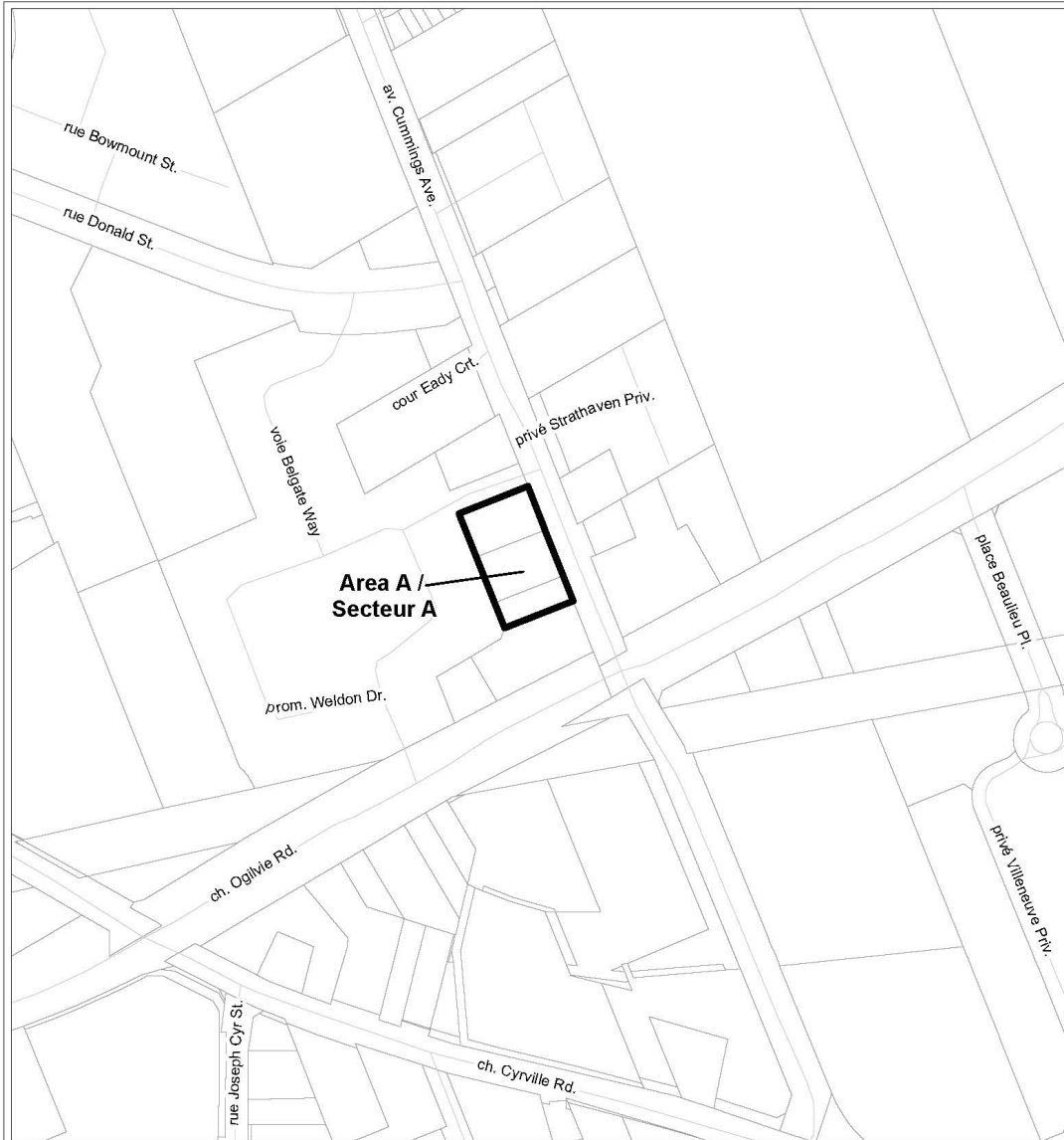
Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Krista O'Brien, Program Manager, Tax Billing & Control, Finance and Corporate Services Department (Mail Code: 26-76) of City Council's decision.


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



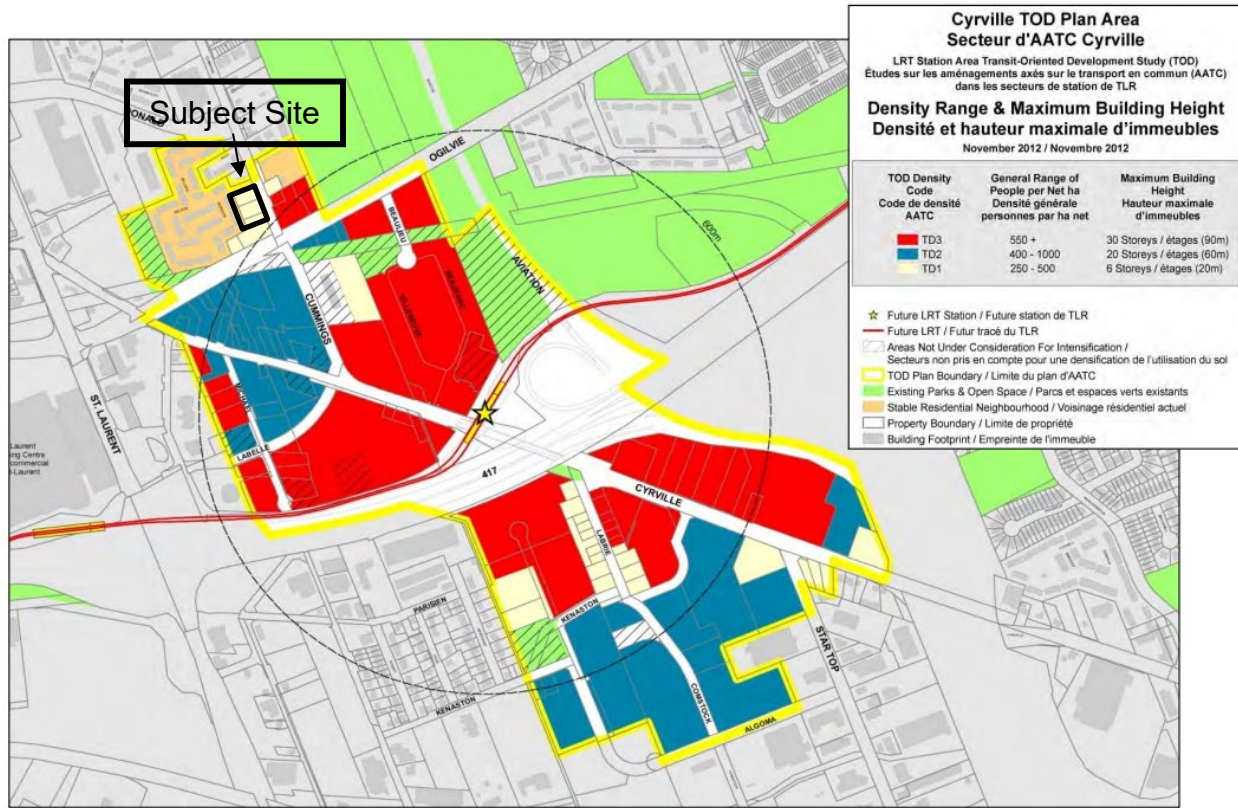
		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE SITE PLAN / PLAN DE EMPLACEMENT	
D02-02-23-0031 D07-12-23-0044	23-0544-D	<b>1184, 1188, 1196 avenue Cummings Avenue</b>	
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<small>©Parcel data is owned by Terranet Enterprises Inc. and its suppliers                  All rights reserved. May not be produced without permission.                  THIS IS NOT A PLAN OF SURVEY</small>		 Area A to be rezoned from R3Y[708] to TD1[XXXX] Le zonage du secteur A sera modifié de R3Y[708] à TD1[XXXX]	
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REVISION / RÉVISION - 2023 / 06 / 08			

## **Document 2 – Details of Recommended Zoning**

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1184, 1188 and 1196 Cummings Road.

1. Rezone the lands as shown on Document 1.
2. Add a new exception TD1 [XXXX] to Section 239 – Urban Exceptions with provisions similar in effect to the following:
  - a. In Column II, add the text “TD1 [XXXX]”
  - b. In Column V, add the following provisions:
    - a) Minimum Parking space rate for an Apartment Dwelling, mid-rise is 0.19 parking spaces per dwelling unit.

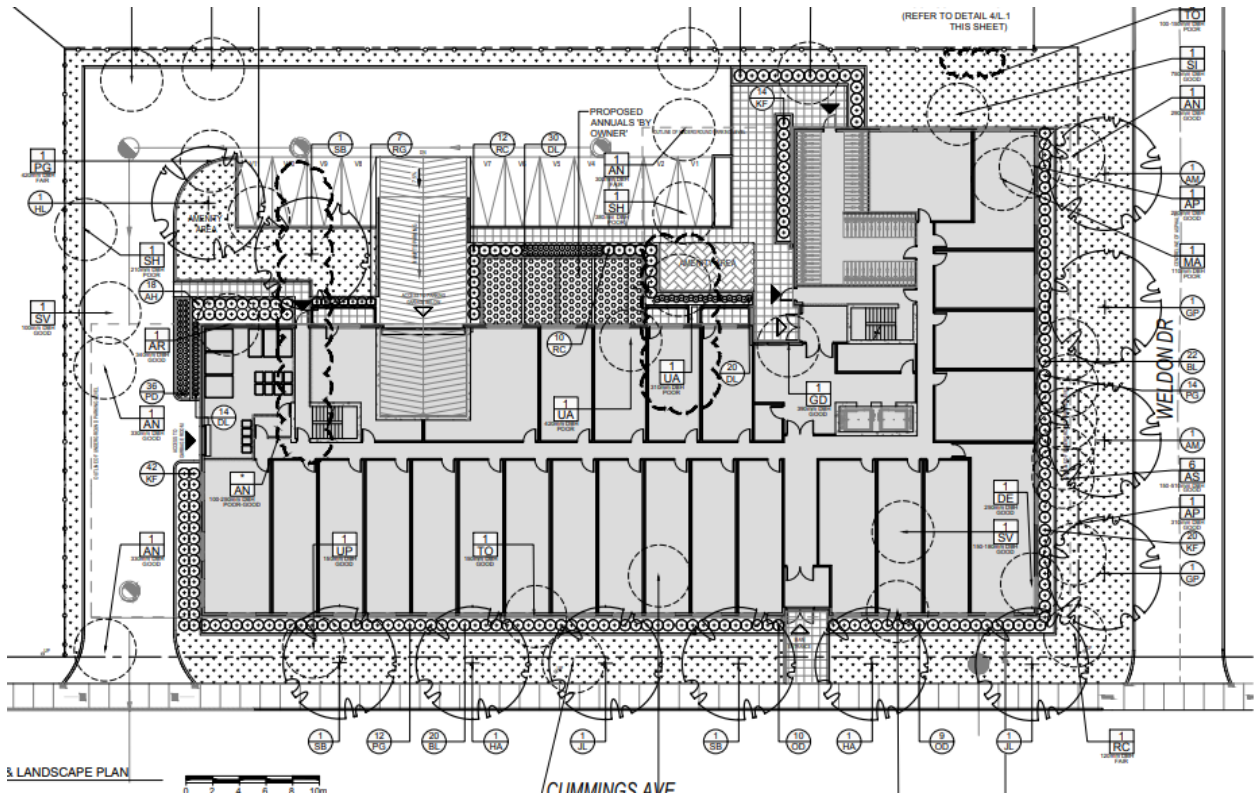
Document 3 – Cyrville Transit-Oriented Development Plan Study Area



Cyrville TOD Concept (southeast view of LRT Station)



Document 4 – Site Concept



Concept plan showing site layout

**Document 5 – Renderings**

View from Cummings Looking North-West



View from Rear Yard Looking East

