

**Subject: Zoning By-law Amendment - 211 Armstrong Street**

**File Number: ACS2023-PRE-PS-0077**

**Report to Planning and Housing Committee on 21 June 2023**

**and Council 28 June 2023**

**Submitted on June 9, 2023 by Derrick Moodie, Director, Planning Services,  
Planning, Real Estate and Economic Development**

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**Ward: Kitchissippi (15)**

**Objet : Modification du Règlement de zonage – 211, rue Armstrong**

**Dossier : ACS2023-PRE-PS-0077**

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

**le 21 juin 2023**

**et au Conseil le 28 juin 2023**

**Soumis le 9 juin 2023 par Derrick Moodie, Directeur, Services de la planification,  
Direction générale de la planification, des biens immobiliers et du développement  
économique**

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**Quartier : Kitchissippi (15)**

## **REPORT RECOMMENDATIONS**

- 1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 211 Armstrong Street, as shown in Document 1, to permit a three-storey low-rise residential apartment building containing 12 dwelling units 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 June 28, 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 (no 2008-250) visant le 211, rue Armstrong, comme le montre le document 1, afin de permettre la construction d’un immeuble d’habitation de trois étages (faible hauteur) comprenant 12 logements, comme l’explique 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 28 juin 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

211 Armstrong Street

### Owner

Lion Trade Ltd.

### Applicant

NOVATECH

**Architect**

Project1 Studio Incorporated

**Description of site and surroundings**

The subject site is located on the western part of Armstrong Street, between Parkdale Avenue and Hinchey Avenue, in north Hintonburg Neighbourhood. The irregular lot has an area of 468.3 square metres, with 15.36 metres frontage on Armstrong Street and an irregular lot depth varying from 31.29 metres (along eastern interior side lot line) to 29.68 metres (along western interior side lot line). The site is currently zoned Residential Fourth Density Zone, Subzone UB (R4UB).

The area surrounding the subject site is generally characterized by residential uses typical to R4UB zone, i.e. low-rise residential, with a mix of detached, semi-detached and low-rise multi-unit buildings. To the west of the subject property is Parkdale Avenue with a predominantly low-rise built form and a mix of uses, including residential, as well as the Parkdale Park and Parkdale Market in close proximity. The Tunney's Pasture O-Train Station is located within walking distance, approximately 500 metres, northwest of the subject property.

**Summary of proposed development**

The purpose of this application is to accommodate the redevelopment of the site to construct a three-storey low-rise residential apartment building that will contain a total of 12 dwelling units, including six two-bedroom units and six one-bedroom units. No off-street motor vehicle parking spaces are proposed. Six bicycle parking spaces are proposed at the rear of the property together with the enclosed garbage storage.

The property is currently occupied by a detached residential building and a surface motor vehicle parking area. The existing building is to be demolished.

The proposed development is subject to the ongoing Site Plan Control application, file no. D07-12-22-0120.

**Summary of requested Zoning By-law amendment**

The subject site is currently zoned Residential Fourth Density Zone, Subzone UB (R4UB), which permits a broad range of low-rise residential uses, including low-rise apartment building.

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

a relief to permit a reduced minimum rear yard setback of 25 per cent of the lot depth or 7.621 meters, whereas the minimum rear yard setback of 30 per cent of the lot depth or 9.132 metres is required.

## **DISCUSSION**

### **Public consultation**

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

Approximately 10 public comments were received by City staff during the circulation process, including comments from the Hintonburg Community Association, and were considered in the evaluation of this proposal. The public comments generally focused on the following:

- Rear yard setback reduction;
- Size of the dwelling units;
- Number of bicycle parking spaces and location of bicycle storage;
- Streetscape;
- Built form;
- Rear balconies and privacy issues;
- Geotechnical issues associated with foundation and impacts on neighbouring properties;
- Tree removals;
- Entrance on the east side of property;
- Building height;
- Non-provision of off-street parking;
- Reduction of greenspace.

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

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

The City of Ottawa Official Plan 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 support this application:

- The Official Plan 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. The proposed

development is for a three-storey low-rise apartment building which directly supports the above-mentioned policy.

- The Official Plan “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. The proposal is for a low-rise apartment building, containing a total of 12 dwelling units, which directly supports the above-mentioned policy.
- The Official Plan 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 a low-rise apartment building in close proximity to Wellington Street West - Mainstreet Corridor, which accommodates a mix of low-rise retail, restaurant, commercial and office uses. Tunney’s Pasture O-Train Station is located within walking distance, approximately 500 metres, northwest of the subject property.
- The Official Plan establishes a form-based regulation that includes "requirements for articulation, height, setbacks, massing, floor area, roofline, materiality and landscaped areas having regard for [...] local context and character of existing development." The subject site is located in a block with lots that have inconsistent lot depth ranging from 25 metres on a corner with Parkdale Avenue to 41 metres on a corner with Hinchey Avenue, and as a result, with rear yards being reduced in size towards Parkdale Avenue, designated Minor Corridor, and corner of Oxford Street and Hinchey Avenue. The requested relief addresses the angled rear portion of the lot that is otherwise in compliance with lot width and lot area established in Zoning By-law to accommodate the proposed built form.

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

#### Scott Street Secondary Plan

The site is subject to the Scott Street Secondary Plan.

The Scott Street Secondary Plan designates the site Low-Rise Neighbourhood on Schedule A - Designation Plan, and North Hintonburg Neighbourhood area permits new developments up to three-storeys in height as per Schedule B - Maximum Building Heights. The proposal is for a low-rise three-storey residential development. Additionally, it supports the main principle set out in the Secondary Plan to “maintain the

core of each established neighbourhood by maintaining the current zoning, while encouraging low-scale infill and intensification on under-utilized sites within neighbourhoods.” The proposed rezoning is minor and maintains the parent R4UB zone by introducing an urban exception to address the rear yard setback relief.

#### Scott Street Community Design Plan

The site is subject to the Scott Street Community Design Plan that designates most of North Hintonburg Neighbourhood as low-rise residential to recognize its stable form.

The proposal supports principles and key directions set out in the Community Design Plan (Section 4.1) to “reinforce and respect the character of existing neighbourhoods” by generally maintaining “the current zoning in the core of each established neighbourhood” and by encouraging “low-rise residential infill development on underutilized sites within neighbourhoods.” The proposal is for a low-rise three-storey residential development, and the proposed rezoning is minor and maintains the parent R4UB zone by introducing an urban exception to address the rear yard setback relief.

The height of the proposed development maintains the building height up to 11 metres within the low-profile area (Section 4.2 of the Community Design Plan).

#### 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.”

“Urban Design Guidelines for Low-rise Infill Housing” also provide direction to “maintain rear yard amenity space that is generally consistent with the pattern of the neighbouring homes” and to avoid breaking “an existing neighbourhood pattern of green rear yards by reducing required rear yard setbacks.” While the proposal seeks relief from the rear yard setback standard established in Zoning By-law, Planning staff recognizes that rear yards of adjacent properties and in the block vary in size and between being soft landscaped and with mature trees to hardscaped and with rear yard parking. The proposed rear yard is fully soft landscaped with three mature trees proposed for retention, except the required garbage storage area, bicycle parking spaces, and a walkway providing access to these uses.

### **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, as highlighted in this report, staff are of the opinion that the proposed development is consistent with the policy framework.

The Scott Street 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 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 relief from the Zoning By-law with respect to built form, i.e., rear yard setback, the requested relief is acceptable given that it will fit within the planned function of the block with inconsistent lot depths and rear yards being reduced in size towards Parkdale Avenue and corner of Oxford Street and Hinchey Avenue. The requested relief addresses the angled rear portion of the lot that is otherwise in conformity with all other performance standards. Planning staff is of the 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 associated with 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 associated with this report.

**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**

No accessibility barriers are anticipated with the proposed development. The proposed development contains three accessible units located on the ground floor, one two-bedroom unit and two one-bedroom units. 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: D02-02-22-0079) 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 Consultation Details

Document 4 - Proposed Site Plan

## **CONCLUSION**

Staff are of the opinion that the proposed three-storey low-rise apartment building, containing 12 residential units, is appropriate use of land and will provide additional dwelling units within the Hintonburg neighbourhood.

Overall, the proposal conforms to the Provincial Policy Statement, the Official Plan, and the Scott Street Secondary Plan. The proposed development upholds the intent of the Residential Fourth Density Zone, Subzone UB (R4UB) 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; 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 – Zoning Key Map



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-22-0079	22-0969-X	<b>211 rue Armstrong Street</b>	
I:\CO\2022\Zoning\Armstrong_211		 Area A to be rezoned from R4UB to R4UB[xxxx] Le zonage du secteur A sera modifié de R4UB à R4UB[xxxx]	
<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>		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 - 2022 / 09 / 29			

## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 211 Armstrong Street:

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 162B, endnote 4 and Section 144 (3) (a), for Low-rise Apartment, maximum of 12 units, the minimum rear yard setback is 25 per cent of the lot width or 7.6 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.

Approximately 10 public comments were received by City staff during the circulation process, including comments from the Hintonburg Community Association, and were considered in the evaluation of this proposal. The public comments pertained to the following:

Comment: Rear yard setback reduction and its possible impact on privacy and adequate soft landscaping.

Response: The requested reduced rear yard setback is 25 per cent of the lot depth or 7.6 metres in this case. It provides sufficient space in the rear and no privacy impacts are anticipated with the proposed rear yard setback. The proposal is compliant with the rear yard soft landscaping requirements that are set out in R4UB zone.

Comment: Setting a precedent in the neighbourhood with respect to rear yard setback reduction requests.

Response: Every development proposal that goes through development review process is evaluated on its own merits.

Comment: Size of the dwelling units.

Response: The development proposal is in compliance with, and exceeds, the set requirement to provide 25 per cent of two-bedroom units, as six of the proposed 12 units are designed as two-bedroom units.

Comment: Number of bicycle parking spaces, location of bicycle storage inside the principal building or weather protection for bicycle parking spaces.

Response: The development proposal is compliant with the requirement of the Zoning by-law in terms of number of bicycle parking spaces, i.e. 0.5 bicycle parking space is required per 1 dwelling unit; the development accommodates six spaces. During development review process it was advised to the applicant to increase the number of bicycle parking spaces given that the development provides 50 per cent of two-bedroom units. It was also advised to accommodate the bicycle storage inside the principal building. Initially, proposal included weather protection for bicycle parking spaces, however, the accessory structure with parking rack significantly impacted the trees in the rear. It was advised to

consider other design solution that will allow trees retention. The applicant redesigned the bicycle parking area to decomposed granite to facilitate the retention of trees, and the weather protection was also removed. The development is subject to the ongoing site plan control review process and the weather protection for the bicycle rack is considered for further review.

Comment: Streetscape.

Response: The proposal provides a ground floor with principal entry, windows and key internal uses facing onto the street and the primary entrance, though being setback, is visible from the street. While being taller than other buildings along the block, the proposal represents gentle intensification of three-storeys that fits with the low-rise residential character of the area and adheres to required building height as set in Zoning By-law and Secondary Plan.

Comment: Built form.

Response: The proposed apartment building is required to be setback 5 metres from the high voltage power lines along the north side of Armstrong Street. The proposed development also complies with the R4UB zone requirement for façade articulation.

Comment: Rear balconies and privacy issues.

Response: As stated by the applicant, aluminum and glass guards are proposed along all balconies. Most of the proposed balconies are screened from view of the property to the east by the eastern exterior wall of the apartment building. Additionally, the balconies do not extend into the rear yard beyond the permitted standards set out in Zoning By-law.

Comment: Geotechnical issues associated with foundation and impacts on neighbouring properties.

Response: The applicant does not anticipate using blasting anymore as this is not a viable option for urban areas. The reports have been revised accordingly, and Geotechnical will be reviewed through the Site Plan application.

Comment: Trees removals.

Response: Since the initial submission the applicant has revised some design aspects of the proposal, such as the bicycle parking area to include decomposed granite as a surface treatment and the egress path to be constructed using an unintrusive permeable paver. These changes are intended to facilitate the

retention of trees. As a result, seven trees are proposed to be retained out of 12 trees (compared to only three trees out of 12 trees as initially proposed), and one new tree is proposed in the front yard.

Comment: Entrance on the east side of property.

Response: The development proposal complies with the required interior side yard setback of 1.5 metres as set out in Zoning By-law.

Comment: Building height.

Response: The development proposal complies with the required building height as set in Zoning By-law and Secondary Plan.

Comment: Non-provision of off-street parking.

Response: No vehicle parking spaces are required by the Zoning By-law for the proposed apartment building. Additionally, the subject site is located in close proximity to several bus routes and Tunney's Pasture O-Train Station, and in a neighbourhood that reflects a 15-minute neighbourhood with ease of access to a variety of services and amenities.

Comment: Reduction of greenspace.

Response: The development proposal is compliant with soft landscaping requirements that are set out for R4UB zone.

