

Subject: Zoning By-law Amendment – 3040 and 3044 Innes Road

File Number: ACS2023-PRE-PS-0086

Report to Planning and Housing Committee on 16 August 2023

and Council 23 August 2023

**Submitted on August 2, 2023 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

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Ward: Orléans West-Innes (2)

Objet : Modification du Règlement de zonage – 3040 et 3044, chemin Innes

Dossier : ACS2023-PRE-PS-0086

Rapport au Comité de la planification et du logement

le 16 août 2023

et au Conseil le 23 août 2023

**Soumis le 2 août 2023 par Derrick Moodie, Directeur, Services de la planification,
Direction générale de la planification, des biens immobiliers et du développement
économique**

**Personne ressource : Kelly Livingstone, Urbaniste II, Examen des demandes
d'aménagement est**

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Quartier : Orléans-Ouest-Innes (2)

REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 3040 and 3044 Innes Road as shown in Document 1, from Residential Second Density, Subzone N (R2N) to Residential Fourth Density (R4Z) to permit a four-storey low-rise apartment building.
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 August 23, 2023 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* n° 2008-250 pour la propriété située au 3040 et au 3044, chemin Innes, comme le montre le document 1, en vue de changer le zonage de zone résidentielle de densité 2, sous-zone N (R2N) à zone résidentielle de densité 4 (R4Z) pour permettre l’aménagement d’un immeuble d’habitation de faible hauteur, comprenant quatre étages.
2. Que le Comité de la planification et du logement donne son approbation afin 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 23 août 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

3040 and 3044 Innes Road

Owner

Landric Innes Property Inc.

Applicant

Novatech, Ryan Poulton

Description of site and surroundings

The subject lands are located along the south side of Innes Road, one property east of the Cleroux Crescent and Innes Road intersection. To the east is Ottawa Fire Station 54 and Good Shepherd Church, to the north are Environmental Zones, and to the south and west are primarily residential uses. Immediately west is a newly constructed duplex building.

Summary of proposed development

The proposed development is for a four-storey, low-rise residential apartment building, with a total of 43 proposed units. 24 units are proposed to be two-bedroom or two-bedroom plus den units, and 19 are proposed to be one-bedroom or one-bedroom plus den units. There is one level of underground parking proposed, and a total of 52 parking spaces, plus an additional nine visitor parking spaces provided at-grade. Landscaping will be provided on all sides of the site, and the building is sited further east within the lot to provide a buffer to adjacent residential uses.

A Site Plan Control application (D07-12-22-0006) was received with the Zoning By-law Amendment and is currently under review.

Summary of requested Zoning By-law amendment

The purpose of the Zoning By-law Amendment is to re-zone the lands from Residential Second Density, Subzone N (R2N) to Residential Fourth Density (R4Z) to permit the proposed development. The amendment is required to permit for the low-rise apartment use, because the R2 zone restricts building forms to detached and two principal unit buildings whereas the R4 zone allows for low rise apartment dwellings. No exception provisions are being requested.

DISCUSSION

Public consultation

A Community Information Meeting was not held for this application. Public notification has been carried out as required by the *Planning Act* and the Planning and Housing Committee meeting will constitute the required public meeting under the *Act*. Public comment received to-date is provided and responded to in Document 3 of this report. Approximately ten comments from the public were received.

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

Official Plan designation(s)

The subject lands are designated as Neighbourhood Area, with a portion designated Evolving Neighbourhood, along a Minor Corridor (Innes Road) within the Outer Urban Transect of the Official Plan.

The Official Plan is the guiding document for the growth and development of the City of Ottawa. It describes the overarching planning goals for the City in Section 2, Strategic Directions, by establishing five "Big Policy Moves". The first, and most applicable to the present application, is Big Policy Move 1, which aims to "achieve, by the end of the planning period, more growth by intensification than by greenfield development". Six cross cutting issues are identified later in Section 2 and include policies that speak to directing residential growth within the built-up area (2.2.2[1]), and create a compact and connected city, with a mix of housing options within existing neighbourhoods (2.2.3[1], 2.2.4[1]).

Ottawa's Growth Management Framework is provided in Section 3 of the Official Plan and describes how and where the City intends to grow over time. Section 3 states that intensification is permitted in all areas where development is permitted, and that it shall be in conformity with transect and overlay policies. Given the proposal is within the Outer Urban Transect, along a Minor Corridor and within an Evolving Neighbourhood and Neighbourhood area, those sections will speak to how development should occur.

Transect policies for the Outer Urban area are provided in Section 5. Subsection 5.3.1(2) states that the Outer Urban Transect is generally characterized by low- to mid-density development, and that it shall be "low-rise within neighbourhoods and along Minor Corridors". It also states in 5.3.1(4) that the Zoning By-law shall provide for a "range of dwelling unit sizes in multi-unit dwellings in Hubs and on Corridors", and that ground oriented forms should be located away from Corridors. Subsection 5.3.4 provides Neighbourhood direction that states how a wide variety of housing types up to

four storeys are permitted, with a “focus on lower density missing-middle housing which generally reflects the existing built form context of the neighbourhood”.

Minor Corridor policies for the City are provided in Section 6.2. Corridors are “bands of land along specified streets whose planned function combines a higher density of development than Neighbourhoods, but less than Hubs”. Policies state that the Corridor designation applies to any lot abutting the corridor to certain depths, and that corridors will permit residential uses and non-residential uses that integrate with a dense mixed-use environment. Neighbourhood policies are then provided in Section 6.3. These policies generally state that missing middle housing should be prioritized, low-rise housing in a variety of forms is permissible, and that greater densities are allowed in proximity to corridors.

Finally, the Official Plan states that Evolving Neighbourhood areas (section 5.6.1.1) will have a “gradual change in character based on proximity to Hubs and Corridors”, and that “The City will be supportive of applications for low-rise intensification that seek to move beyond the development standards of the underlying zone where the proposal demonstrates that the development achieves objectives of the applicable transect with regards to density, built form and site design in keeping with the intent of Sections 3 and 5 of this Plan”.

Planning rationale

The proposed rezoning represents intensification that is consistent with the policies of the Official Plan. The proposed development will intensify an underutilized parcel of land, consistent with Big Policy Move 1 by providing for 43 new units where there are currently only two detached homes.

The development site is in an appropriate location for low-rise intensification as it is consistent with Minor Corridor, Evolving Neighbourhood, and Transect policies, including 5.3.1(2), 5.3.1(4), 5.6.1.1, and 6.2. While four storeys is slightly higher than surrounding uses, the height is considered to be low-rise in the Official Plan and is an acceptable density due to the Minor Corridor and Evolving Neighbourhood context, which both impart a greater desired development density than neighbourhoods based on the goals and objectives of those designations described in policy. As the Evolving Neighbourhood overlay section states, the City will generally be supportive of low-rise intensification where the development is consistent with the Growth Management framework (Section 3) and Transect policies (Section 5). The Neighbourhood designation also permits for a wide variety of housing types and describes how a focus will be on lower density missing-middle housing, which includes low-rise multi-unit buildings, up to four-storeys where appropriate.

Furthermore, the concept plan as proposed for the site gives due consideration to its surrounding context. Since the lands to the east are under public ownership, the building is sited with lesser setbacks to the east to provide the greatest possible setback to the residential uses immediately west of the proposed development. The Site Plan will also implement a landscape buffer, plantings, and fencing to ensure any potential adverse impacts are minimized.

Therefore, it is staff's opinion that the proposed Zoning By-law amendment is consistent with the Official Plan.

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.

LEGAL IMPLICATIONS

In the event the recommendations are adopted and the resulting zoning by-law is appealed to the Ontario Land Tribunal, it is expected that a two day hearing would be required. It is anticipated that the hearing could be conducted within staff resources. Should the application be refused, reasons must be provided. In the event of an appeal, depending on the reasons for refusal, it would be necessary to retain an external planner.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

Servicing capacity has been reviewed through this rezoning application. There are no servicing constraints to the redevelopment of the site and Staff do not have any concerns. Servicing capacity will be confirmed again, prior to Site Plan approval.

FINANCIAL IMPLICATIONS

There are no direct financial implications. In the event the applications are refused and appealed, it would be necessary to retain an external planner. This expense would be funded from within the Planning Services operating budget.

ACCESSIBILITY IMPACTS

The concept plan provided with this Zoning By-law amendment application was reviewed at a high level for accessibility impacts. Any future development will be reviewed and constructed in accordance with AODA legislation.

ENVIRONMENTAL IMPLICATIONS

The lands are adjacent to a Natural Heritage Features Overlay in the Official Plan, and an Environmental Impact Statement was required to be submitted with the application. Environmental Planning staff reviewed the document and following some revisions are now satisfied with the report and proposal. The proposed development was found to not have a significant impact on existing and adjacent natural areas if mitigation measures contained in the report are properly implemented. Through the Site Plan application, a bird-friendly design will be implemented, native trees and landscaping will be planted, and mitigation measures contained in the report will be required during construction.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-22-0028) 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 Zoning Key Map

Document 2 Consultation Details

Document 3 Conceptual Site Plan

CONCLUSION

The proposed Zoning By-law amendment is consistent with the Official Plan. In staff's opinion, the proposed rezoning is appropriate for the site and represents compatible intensification in keeping with the Official Plan's growth management framework and applicable transect, minor corridor, and neighbourhood policies. 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.

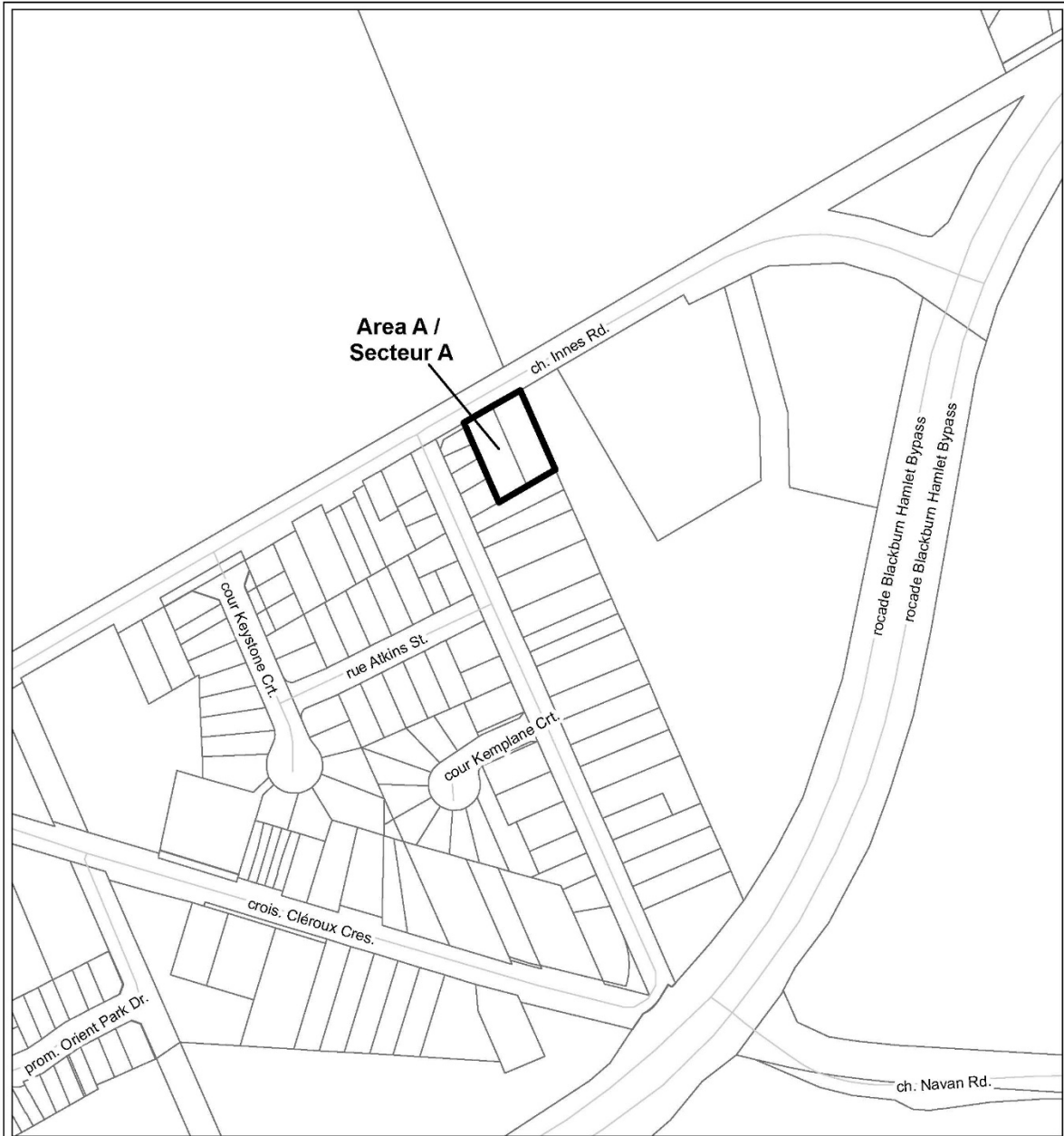
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.


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 – Zoning Key Map

For an interactive Zoning map of Ottawa visit geoOttawa



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
3040, 3044 chemin Innes Road		<div style="display: flex; align-items: center;"> <div style="border: 2px solid black; width: 20px; height: 10px; margin-right: 5px;"></div> <div> <p>Area A to be rezoned from R2N to R4Z</p> <p>Le zonage du secteur A sera modifié de R2N à R4Z</p> </div> </div>	
D02-02-22-0028	23-0666-X		
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REVISION / RÉVISION - 2023 / 07 / 13			



Document 2 – Consultation Details

Notification and Consultation Process

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

Public Comments and Responses

Comment:

The development will add to existing vehicular congestion on Innes Road. What will be done to accommodate the increased traffic?

Response:

A screening form was submitted and assessed by Transportation Engineering staff prior to submission of the application. The form determined that a level of traffic requiring a Transportation Impact Assessment was not generated by the proposed development. Therefore, the development will not significantly impact Innes or other area roads.

Comment:

Space should be provided in the underground parking area for bicycle storage so residents can securely store their bikes.

Response:

14 secure spaces will be provided in the underground parking garage for bicycle storage. An additional 11 spaces are provided at grade.

Comment:

Will fencing be provided between the new development and adjacent lands? Further, will the fencing be provided at the retaining wall or below it?

Response:

Fencing will be required and detailed through Site Plan Control Approval. Once finalized, fencing details will be made available to residents upon request.

Comment:

More landscaping and trees should be provided between the building/parking and adjacent residential uses.

Response:

Upon receiving this comment, the applicant made modifications to their plans to shift the building slightly eastward and increase the landscaping strip along the west property line. Accordingly, additional landscaping and tree planting was provided in this area to create a greater transition and buffer with westerly residential lands.

Comment:

The proposed four-storey building is out of character with the existing neighbourhood.

Response:

Planning staff are of the opinion that the proposal represents compatible, low-rise intensification, consistent with the goals and objectives of the Official Plan.

Comment:

Parking will overflow from this new development to the surrounding community, particularly Cleroux Cres.

Response:

The proposed development is not requesting a parking reduction and is proposing to provide all required parking under the Zoning By-law. This includes resident parking – required at a rate of 1.2 spaces per unit – and visitor parking – required at a rate of 0.2 space per unit. Planning staff are of the opinion there is sufficient parking to service the proposed development.

Comment:

Two comments received are generally supportive of the proposed infill and development plan.

Response:

Noted.

