

Subject: Zoning By-law Amendment – 314 Bell Street South

File Number: ACS2023-PRE-PS-0095

Report to Planning and Housing Committee on 6 September 2023

and Council on 13 September 2023

**Submitted on August 24, 2023 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

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

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Ward: Capital (17)

Objet : Modification du Règlement de zonage visant le 314, rue Bell sud

Dossier : ACS2023-PRE-PS-0095

Rapport au Comité de la planification et du logement

le 6 septembre 2023

et au Conseil le 13 septembre 2023

**Soumis le 24 août 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, Examen des demandes
d'aménagement centrale**

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Quartier : Capitale (17)

REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 314 Bell Street South, as shown in Document 1, to permit a three-storey four-unit addition to an existing three-storey four-unit apartment building, 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 13 September 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* pour le 314, rue Bell Sud, comme indiqué dans le document 1, afin de permettre la construction d’un ajout de trois étages et quatre logements à un immeuble d’habitation existant de trois étages et quatre logements, comme décrit dans 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 13 septembre 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

314 Bell Street South

Owner

Marcus Filoso

Applicant

Jacques Hamel, HD&P

Architect

Jacques Hamel, HD&P

Description of site and surroundings

The subject site is known municipally as 314 Bell Street South. The subject site is located in the Glebe Annex neighbourhood, along the western side of Bell Street South between Plymouth Street and Henry Street.

The subject site is a regular lot with lot area of 496.8 square metres, 11.90 metres frontage on Bell Street South and a lot depth of 41.25 metres. The property is currently occupied by a three-storey four-unit apartment building that is proposed to remain.

The site is currently zoned Residential Fourth Density Zone, Subzone UD (R4UD). The area surrounding the subject site (to the south, west and north of the subject site) is generally characterized by residential uses typical to R4UD zone, i.e. low-rise residential, with a mix of detached, semi-detached and low-rise multi-unit buildings, with a twelve-storey high-rise apartment building to the east of the subject site, on the opposite side of the street. Two other high-rise apartment buildings are located at 470 Cambridge Street South and 360 Bell Street South. To the west the subject site abuts a public lane that is accessed from Henry Street. The proposed development is within walking distance to Dow's Lake O-Train Station (approximately 800 metres) and is accessible to bus routes with frequent bus stops running along Bronson Avenue and Booth Street.

Summary of proposed development

The purpose of the proposed redevelopment of the site is to accommodate a four-unit addition with 510.8 square metres GFA to an existing three-storey four-unit apartment building in the southern (interior) portion of the property. The proposed addition would contain two-bedroom dwelling units. Zero vehicular parking is being proposed; however,

eight bicycle parking spaces are proposed within the accessory structure in the rear yard (together with garbage storage), with access from the rear public lane.

Summary of requested Zoning By-law amendment

The subject site is currently zoned Residential Fourth Density Zone, Subzone UD (R4UD), 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 standards associated with the Residential Fourth Density Zone, Subzone UD (R4UD), to facilitate the development. Specifically, the applicant is seeking to rezone the subject site to introduce new site-specific exception to permit the following:

- The maximum building height to be increased from 11 metres to 11.95 metres;
- A porch to project 0.15 metres from the southern side lot line, whereas the requirement for this projection to be located no closer than 1 metre from a lot line;
- A canopy to project 0.10 metres from the southern side lot line, whereas the requirement for this projection to be located no closer than 0.6 metres from a side lot line.

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 during the circulation process, including comments from the Glebe Annex Community Association, and were considered in the evaluation of this proposal. The public comments generally focused on concerns relating to compatibility with, and impacts on, abutting properties, landscaping, shadowing and privacy.

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 Downtown Core 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 eight dwelling units, all two-bedroom 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 Carling Avenue and Bronson Avenue - Mainstreet Corridors that accommodate a mix of low-rise retail, restaurant, commercial and office uses. Carling O-Train Station is located within walking distance, approximately 1 kilometre, southwest 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." While the proposal is to allow an increased 11.95 metres building height, whereas the requirement for building height in this area is maximum 11 metres, the requested relief is to make the height of the addition consistent with the existing building on 314 Bell Street. This increase is considered negligible with respect to the existing context as well, i.e. the subject site is located on the block with predominantly low-rise residential buildings, however, there is a high-rise building directly across the street. Therefore, the increase in building height will not have any adverse impacts on the neighbourhood. The proposed interior side yard setback is compliant with the Zoning By-law and only the porch and canopy setbacks from property lines are subject to this Zoning By-law Amendment. The existing context along the block demonstrates that the majority of the interior yard setbacks are smaller compared to what is currently permitted in R4UD zone. Therefore, the proposed projections are considered appropriate, and the reduced setbacks will not have any adverse impacts on the neighbourhood character.

Other applicable policies and guidelines

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.

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” and “considers the impacts of scale and mass on the adjacent surrounding homes” by maintaining the building height of the existing development on site, as set out in Subsection 3.2 “Mass/Height.”

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 subject site is currently zoned Residential Fourth Density Zone, Subzone UD (R4UD). 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., building height and setbacks for projections (porch and canopy), the requested reliefs are acceptable given that the proposal will fit within the existing building on site (with respects to mass and height) and existing context of the block with reduced interior side yard setbacks. The proposal is otherwise in conformity with all

other performance standards and responds to key design challenges in “Urban Design Guidelines for Low-rise Infill Housing”. Planning staff is of the opinion that the proposed development is consistent with the intent and purpose of the Residential Fourth Density Zone, Subzone UD.

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

Councillor Shawn Menard is aware of the application related to this report.

ADVISORY COMMITTEES COMMENTS

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

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendations contained in the report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications resulting from recommendations of this report.

The recommendations documented in this report are consistent with the City’s [Comprehensive Asset Management \(CAM\) Program](#) objectives. The implementation of the Comprehensive Asset Management program enables the City to effectively manage existing and new infrastructure to maximize benefits, reduce risk, and provide safe and reliable levels of service to community users. This is done in a socially, culturally, environmentally, and economically conscious manner.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

The proposed development is not accessible.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-22-0103) 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

Document 5 - Proposed Building Elevations

CONCLUSION

The Planning, Real Estate and Economic Development Department supports the application and proposed Zoning By-law Amendments. Staff are of the opinion that the proposed three-storey low-rise apartment building, containing eight residential units, is appropriate use of land and will provide additional dwelling units within the Glebe Annex neighbourhood.

Overall, the proposal is consistent with the Provincial Policy Statement, and the Official Plan. The proposed development upholds the intent of the Residential Fourth Density Zone, Subzone UD (R4UD) 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 – Zoning Key Map



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-22-0103	23-0290-X	314 rue Bell Street	
I:\CO\2023\Zoning\Bell_314\...rezone		 Area A to be rezoned from R4UD to R4UD[xxxx] Le zonage du secteur A sera modifié de R4UD à R4UD[xxxx]	
<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>		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 - 2023 / 07 / 31		 NOT TO SCALE	

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 314 Bell Street South:

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 R4UD [XXXX]
 - b) In Column V, “Provisions”, add the following:
 - i. Despite Section 162, Table 162B, for Low-rise Apartment, maximum of 8 units, the maximum building height is 12 metres;
 - ii. Despite Section 65, Table 65, a canopy may project 0.1 metres from a side lot line;
 - iii. Despite Section 65, Table 65, a porch may project 0.1 metres from a side lot line” with “Despite Section 65, Table 65, a porch and stairs may project 0.1 metres from a side lot line.

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 Glebe Annex Community Association, and were considered in the evaluation of this proposal. The public comments pertained to the following:

Comment: Potential encroachment on the neighbouring property at 316A Bell Street South with the requested reduced setback for the porch.

Response: The proposed porch and canopy are entirely on the subject property (314 Bell Street South) and there will be no encroachment on to 316 Bell Street South property. The proposed fence will not encroach on to 316 Bell Street South property too, as it is entirely on the 314 Bell Street South property and its placement aligns with the location for railings of the porch, i.e. minimum 0.1 metres from the lot line.

Comment: Snow-clearing, water drainage and maintenance of 316A Bell Street South property with the proposed elevation changes and the approval of the requested reduced setback for porch and canopy.

Response: As per City standards, the development is required to maintain run-off on the subject property. Storm Drainage Area Plan and Proposed Rooftop Stormwater Management Plan were part of the submission for review during the application circulation process and adhere to the City standards. Upon discussion with the applicant, it was agreed that walkways can be paved with permeable pavers to improve site permeability and minimize water runoff.

Comment: Security/safety concerns associated with introduction of a narrow space and proposed fence between 314 and 316A Bell Street South and through pedestrian traffic from Bell Street South to rear lane.

Response: As shown on the site plan, the security of the property will be addressed by providing a fence with a gate that will restrict through pedestrian traffic from the lane to Bell Street South. The proposed fence will not encroach on to 316 Bell Street South property too, as it is entirely on the 314 Bell Street South property and its placement aligns with the location for railings of the porch, i.e. minimum 0.1 metres from the lot line.

Comment: Privacy concerns associated with introduction of a large porch covered with a canopy in the interior side yard adjacent to 316A Bell Street South and possibility of it being used as a gathering area.

Response: As shown on the elevations, the area covered by the canopy has a privacy wall from the top of the deck up to the canopy. Additionally, the proposal provides sufficient amenity space for residents through balconies and rear yard amenity area. It conforms to rear yard setback and its soft landscaping requirements in R4UD zone, which suggests that the public input with respect to possibility of using porch and stairs as gathering space is addressed.

Comment: Concerns with the removal of two trees in the rear yard.

Response: Tree Conservation Report was part of the submission and was reviewed by City Staff. Tree removals are justified. The site is small and given the development plan, the area where the trees will be needed for staging. The grading plan shows that the proposed retaining wall will impact tree rooting area. The existing trees are a mix of Norway maple and a dead elm - the Norway maples are not great trees at maturity and don't fare well with root disturbance or a change to the grade.

Comment: Planting non-native species.

Response: As requested by the City and as confirmed by the Applicant, native species will be used.

Comment: Overlook from the rooftop terrace.

Response: The rooftop terrace meets the Zoning By-law requirements, i.e. Section 55 requires minimum 1.5 metres from any exterior wall of the building. This requirement ensures that there will not be any overlook from the provided rooftop terrace. As confirmed by the Applicant, additionally, there will be consideration for privacy screens.

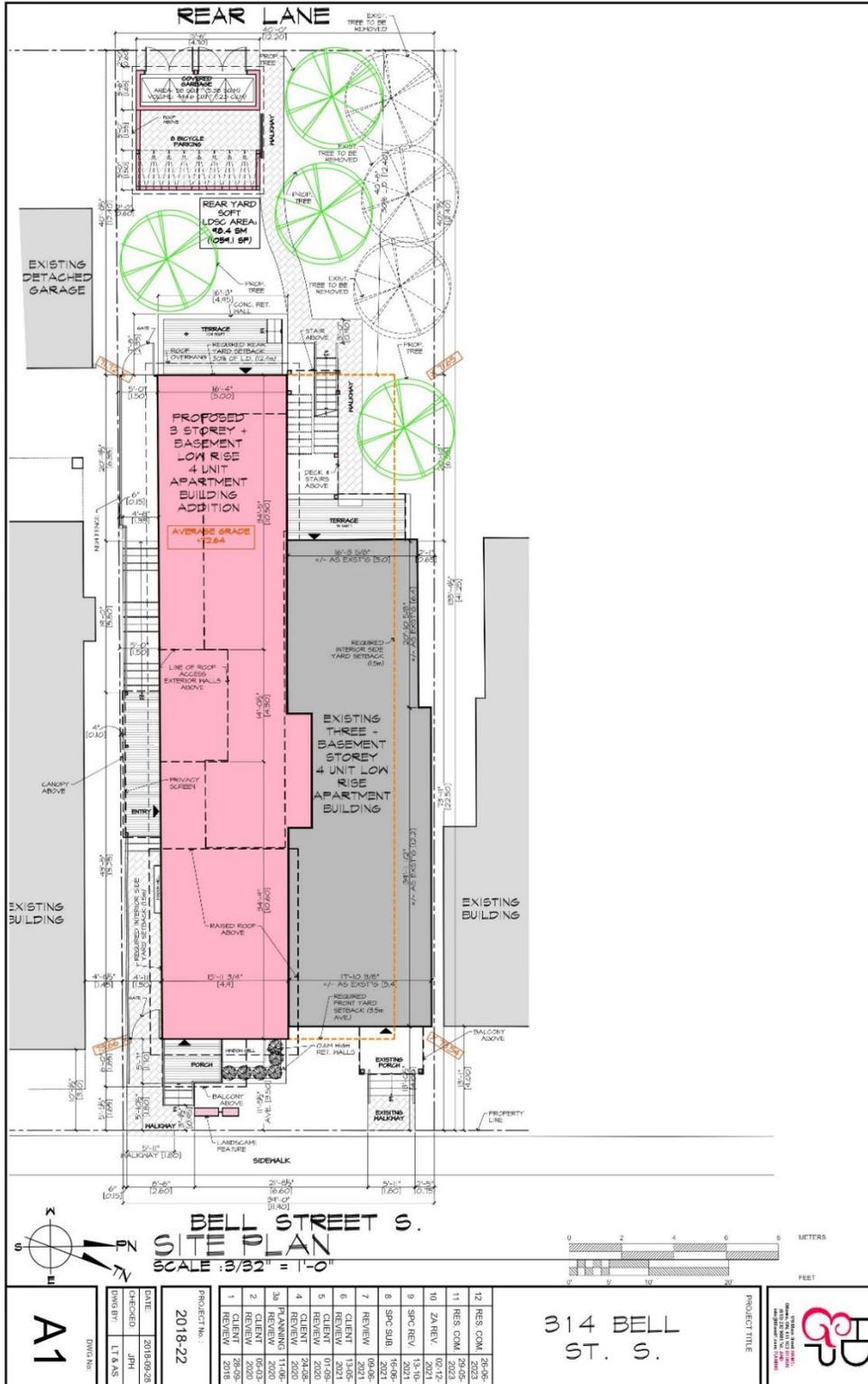
Comment: The size of the garbage enclosure and its ability to accommodate waste from all eight residential units, both proposed and existing

Response: The garbage storage meets and exceeds the Zoning By-law requirements (Section 143), both in area and volume for the existing four-unit building and proposed four-unit addition.

Comment: Shadow impacts on the neighbouring 316A Bell Street South property with the introduction of a reduced setback for canopy and porch.

Response: The proposed interior side yard setback is compliant with the Zoning By-law and only porch and canopy setbacks from property lines are subject to this Zoning By-law Amendment. The existing context along the block demonstrates that the majority of the interior yard setbacks are smaller compared to what is currently permitted in R4UD zone. Therefore, the proposed projections are considered to have no negative impacts on the neighbourhood.

Document 4 – Proposed Site Plan



D02-02-22-0103

Document 5 – Proposed Building Elevations

PROJECT TITLE
314 BELL ST. S.

12	RES. COM.	26-09-2021
11	RES. COM.	24-05-2021
10	ZA REV.	05-12-2021
9	SPC REV.	13-10-2021
8	SPC SUB.	15-04-2021
7	REVIEW	09-08-2021
6	CLIENT REVIEW	13-05-2021
5	CLIENT REVIEW	01-08-2021
4	CLIENT REVIEW	24-08-2020
3	PLANNING REVIEW	17-09-2020
2	CLIENT REVIEW	08-07-2020
1	CLIENT REVIEW	28-06-2018

PROJECT No.:
2018-22

DATE: 2018-09-28
CHECKED: JPH
DRAWN BY: LT & AS
DWG No.:
A8

EAST ELEVATION
SCALE: 1/8" = 1'-0"

D02-02-22-0103

PROJECT TITLE
314 BELL ST. S.

12	RES. COM.	26-09-2021
11	RES. COM.	24-05-2021
10	ZA REV.	05-12-2021
9	SPC REV.	13-10-2021
8	SPC SUB.	15-04-2021
7	REVIEW	09-08-2021
6	CLIENT REVIEW	13-05-2021
5	CLIENT REVIEW	01-08-2021
4	CLIENT REVIEW	24-08-2020
3	PLANNING REVIEW	17-09-2020
2	CLIENT REVIEW	08-07-2020
1	CLIENT REVIEW	28-06-2018

PROJECT No.:
2018-22

DATE: 2018-09-28
CHECKED: JPH
DRAWN BY: LT & AS
DWG No.:
A11

SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

D02-02-22-0103