

**Subject: Zoning By-law Amendment - 970 & 974 Silver Street and 1271 & 1275
Shillington Avenue**

File Number: ACS2023-PRE-PS-0132

**Report to Planning and Housing Committee on 15 November 2023
and Council 22 November 2023**

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

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Ward: River (16)

**Objet: Modification du Règlement de zonage – 970 et 974, rue Silver et 1271
et 1275, avenue Shillington**

Dossier : ACS2023-PRE-PS-0132

Rapport au Comité de la planification et du logement

le 15 novembre 2023

et au Conseil le 22 novembre 2023

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

**Personne ressource: Kelby Lodoen Unseth, Urbaniste II, Examen des demandes
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Quartier : Rivière (16)

REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 970 & 974 Silver Street and 1271 & 1275 Shillington Avenue, as shown in Document 1, from R3A zone to R4Y and L1 zones, to permit a 4-storey low-rise residential 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 November 22, 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 au Règlement de zonage 2008-250 visant les 970 et 974, rue Silver et les 1271 et 1275, avenue Shillington, des biens-fonds illustrés dans le document 1 et dont la désignation de zonage passerait de R3A à R4Y et L1, afin de permettre la construction d’un immeuble résidentiel de faible hauteur, 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 22 novembre 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

970 & 974 Silver Street and 1271 & 1275 Shillington Avenue

Owner

Hive Capital

Applicant

Jennifer Martens

Architect

P2 Concepts

Description of site and surroundings

The site is located on the northwest corner of Silver Street and Shillington Avenue, which is approximately 2,787 square metres, with 30 metres of frontage on Shillington Avenue and 91 metres of frontage on Silver Street. The site is currently occupied by 4 single detached dwellings.

Adjacent to the site is the Alexander Park to the west, Alexander Community Centre to the north, and approximately 200 metres to the west is Merivale Road. The surrounding neighbourhood consists of a range of residences from single detached dwellings to low-rise apartments.

Summary of proposed development

The proposed development is for a 4-storey residential building of 50 units, including 14 two-bedroom units. The proposal also includes 27 underground vehicle spaces, and a total of 45 bicycle parking spaces with 33 spaces housed internally on the main floor. The underground parking garage and internal bicycle parking are to be accessed from Silver Street.

Approximately 112 square metres of land from the north side of the site is to be zoned Community Leisure Facility Zone (L1) and dedicated to the adjacent Alexander Park through site plan control.

Summary of requested Zoning By-law amendment

The site is currently zoned R3A (Residential Third Density Zone, Subzone A) which does not permit a 4-storey apartment building. The proposed zoning amendment is to change the zoning designation from R3A to R4Y (Residential Fourth Density Zone, Subzone Y) to allow a low-rise apartment building to be constructed on the site.

Approximately 112 square metres of land along the north side of the property is to be dedicated as park land through site plan control. These lands will be rezoned from R3A to L1 (Community Leisure Facility Zone). With the dedication of these lands, the rear yard setback is being reduced from 7.5 metres to 4.8 metres.

No other exceptions are proposed, and the parking amounts proposed meet the parking requirements of Part 4 of the Zoning By-law.

DISCUSSION

Public consultation

A public consultation for this application was conducted in accordance with the procedure for Zoning By-law amendment applications. Owners within 120 metres of the site were notified through Canada Post mailing, and two signs were posted onsite.

A public consultation was held on July 19, 2022, electronically over Zoom with 15 people in attendance. The applicant, staff, and Ward Councillor were in attendance to discuss the proposal and application process with those in attendance. Comments and concerns are summarized in the report and include:

- Removal of existing trees from the property
- Location of parking entrance
- Shadowing impacts

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

Official Plan designation(s)

Within the City of Ottawa Official Plan (OP), the site is identified on Schedule B2 – Inner Urban Transect as Neighbourhood with an Evolving Neighbourhood overlay, with Merivale Road defined as a Mainstreet Corridor.

Shillington Avenue is defined as an existing collector on Schedule C4 – Urban Road Network and Merivale Road is designated as an arterial road.

On Schedule C2 – Transit Network, Merivale Road is also identified as a Transit Priority Corridor.

Planning rationale

Built form and height

It is noted under OP Section 6.3.1 that development in the neighbourhood designation will include a full range of low-rise housing options in order for these areas to gradually evolve towards 15-minute neighbourhoods. The site itself does not include commercial or retail space, however the proximity of the development and the addition of residents in close proximity to existing amenities and commercial and services uses along Merivale Road will help strengthen the 15-minute neighbourhood.

Section 5.2.4.1 states that neighbourhoods located in the Inner Urban area and within a short walking distance to corridors shall accommodate residential growth to meet the Growth Management Framework with the intent to support a wide variety of housing types. The neighbourhood currently includes an array of low-rise housing types, and this development will continue to add housing options to the neighbourhood.

Section 5.6.1.1 provides direction for properties subject to the Evolving Neighbourhood Overlay, which are near Hubs and Corridors, including shallow front yards, principal entrances at grade with direct relationship with the public realm, minimum of two functional storeys, formal landscaping to include soft landscape, tree, and hard surfacing. The proposed development includes a shallow front yard and corner side yard setback which includes soft and hard landscaping consisting of paved walkways and benches, raised planters with seating, shrub and grass placement, surrounding a four-storey building. The principal entrance is located at grade facing the corner of Shillington Avenue and Silver Street with a wide paved corridor connecting the building to the public realm.

Urban design and compatibility

OP Section 4.6.6 outlines the sensitive integration of new development into existing neighbourhoods. The site is on the northwest corner of Shillington Avenue and Silver Street, with Alexander Park adjacent to the west and Alexander Community Centre to the north. With no other existing residences adjacent to the property, the site is at an appropriate location for an increase to the permissible height.

Section 4.6.6.6 further identifies measures to help integrate low-rise buildings, such as soft landscaping, main entrances at-grade, front porches and balconies. The proposed development includes soft landscaping for the front and corner side yards facing the Shillington Avenue and Silver Street of 194 square metres, exceeding the 40 per cent requirement of 140 square metres. Additionally, the main building entrance faces the corner of Shillington Avenue and Silver Street, with vehicular and cyclist parking access from Silver Street. Main floor units facing Silver Street to the east and the park to the west also include ground level terraces and balconies on the floor above.

The proposal conforms to the parking provisions outlined in Part 4 of the Zoning By-law with 27 parking spaces identified for the parking garage including 23 residential spaces and 4 visitor spaces, whereas the minimum vehicular parking requirement is 20 residential spaces and 4 visitor spaces. Additionally, a total of 45 bicycle parking spaces are proposed, with 33 spaces housed internally on the main floor.

Servicing

Engineering considerations include adequate supply of water, capacity of sanitary sewers, as well as appropriate stormwater retention systems for rainfall events. An Adequacy of Public Services Report submitted by the applicant has been reviewed by staff and is found sufficient to support the zoning amendment; further design details and review will be required through the future site plan control application.

Overall, the proposed low-rise residential development is compatible with the surrounding community in terms of land use and built form and is considered acceptable for the Neighbourhood designation. The site is in proximity to a transit priority corridor on Merivale Drive and neighbouring greenspace in Alexander Park. The proposal presents an opportunity to develop new housing and to promote and strengthen the 15-minute neighbourhood in this area.

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 direct implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR(S)

Councillor Brockington provided the following comments:

I am aware of the application for 970 Silver, 974 Silver, 1271 Shillington and 1275 Shillington. This L-shaped property abuts Alexander Park and the Alexander Community Centre.

The intention is to construct a 4-storey, 51 unit apartment building at this corner. Tree retention and tree replacement is a main concern in the community that will be addressed further.

The proposed zoning amendment is to change the zoning designation from R3A (Residential Third Density Zone, Subzone A) to Residential Fourth Density Zone,

Subzone Y) to allow the low-rise apartment building to be constructed on the site. I am supportive of this application.

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

The expansion of Alexander Park with land dedicated from this development will increase the park size by approximately 112 square metres.

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

The Zoning By-law amendment proposal relates to a new building that will be constructed in accordance with the Ontario Building Code; accessibility will be reviewed and achieved through the future site plan control process.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- A City that has affordable housing and is more liveable for all.
- A City that is more connected with reliable, safe and accessible mobility options.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-22-0026) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to complexity of issues associated with the development.

SUPPORTING DOCUMENTATION

Document 1 Zoning Key Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Site Plan

Document 5 Building Rendering

CONCLUSION

The Planning, Real Estate and Economic Development Department recommend approval of the application to rezone the lands shown as Area A in Document 1 from R3A to R4Y[xxxx] and Area B from R3A to L1 to allow the development of a low-rise residential development. The application is consistent with the Provincial Policy Statement and Official Plan.

DISPOSITION

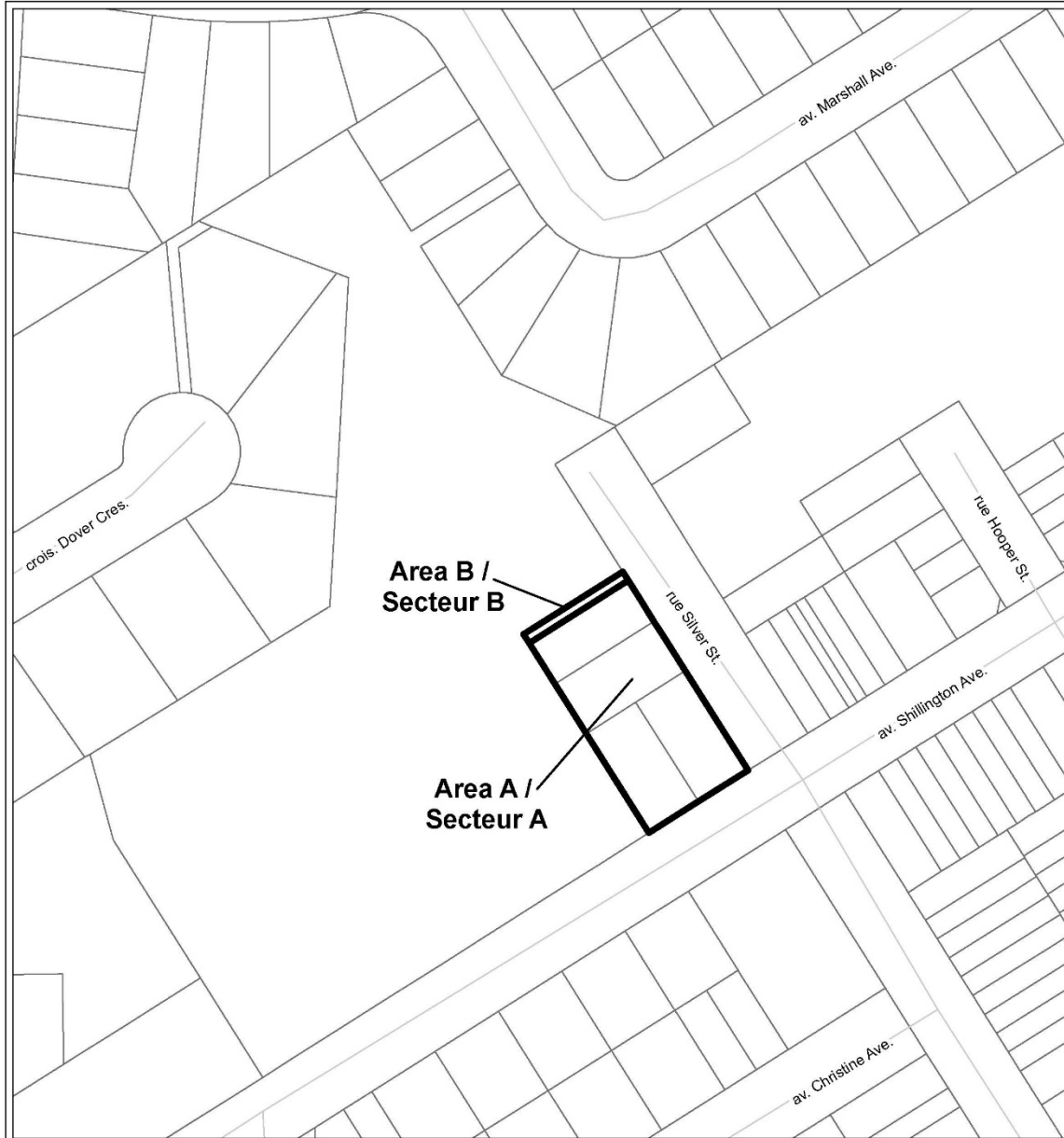
Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing & Control, Finance and Corporate Services Department (Mail Code: 26-76) of City Council's decision.

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



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|--|-----------|--|--|
|  | | LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE | |
| D02-02-22-0026 | 23-0928-X | 970, 974 rue Silver Street and/et 1271, 1275 avenue Shillington Avenue | |
| I:\CO\2023\Zoning\Silver_970_974 | |  Area A to be rezoned from R3A to R4Y[xxxx] Le zonage du secteur A sera modifié de R3A à R4Y[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> | | Area B to be rezoned from R3A to L1 Le zonage du secteur B sera modifié de R3A à L1 | |
| <small>©Les données de parcelles appartient à Teranet Entreprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE</small> | |  | |
| REVISION / RÉVISION - 2023 / 10 / 13 | | | |

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 970 & 974 Silver Street and 1271 & 1275 Shillington Avenue:

1. Rezone the lands as shown in Document 1
 - a. Area A from R3A to R4Y[xxxx]
 - b. Area B from R3A to L1
2. Add a new exception XXXX to Section 239 – Urban Exceptions with provisions similar in effect to the following:
 - a. In Column II, add the text R4Y[xxxx]
 - b. In Column V, add the text:
 - “minimum rear yard setback: 4.8 metres”

Document 3 – 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. A public consultation was held on July 19, 2022, electronically over Zoom.

Public Comments and Responses

Comment:

The increase in height of the building will block the sun light in the area.

Response

The current zoning allows for two and three-storey buildings with a possible maximum height of 10.7 metres. The proposed development is for a four-storey residential building approximately 13 metres in height. The City of Ottawa Shadow Analysis Terms of Reference do not require a Shadow Analysis for buildings within the Greenbelt when they are five storeys or fewer, or less than 15 metres.

Comment:

The development will remove trees and not have the space to replace them with large trees.

Response:

23 trees are planned to be removed from the four properties, with 10 trees located centrally on the site, and another 9 trees along the western property boundary. The trees identified along the western property boundary are also noted as invasive species (Manitoba and Norway maple) which are in poor condition growing through the existing chain link fence. Replacement and repair of the fence along this property boundary requires their removal.

The ability of the development to place large canopy trees on the site is impacted by the presence of sensitive marine clay soils, requiring additional separation distance between the building and tree placement. The landscape plan for the site calls for the placement of trees along the northern property line and large shrubs in the front and corner side yards. Discussions are ongoing for replacement trees from the shared

property boundary with the park to be replaced either in Alexander Park or other area parks.

Comment:

The parking entrance to the proposed building is too close to the community centre parking lot entrance, this will cause conflicts with pedestrians and cyclists.

Response:

The access to the underground parking garage has been moved 20m south to provide separation between the parking garage entrance and the community centre parking lot entrance.

Comment:

Shillington Avenue and Silver Street will end up with cars parked on them.

Response:

On-street parking is regulated by the City of Ottawa By-law 2017-301, which restricts where people may park their vehicles and for how long.

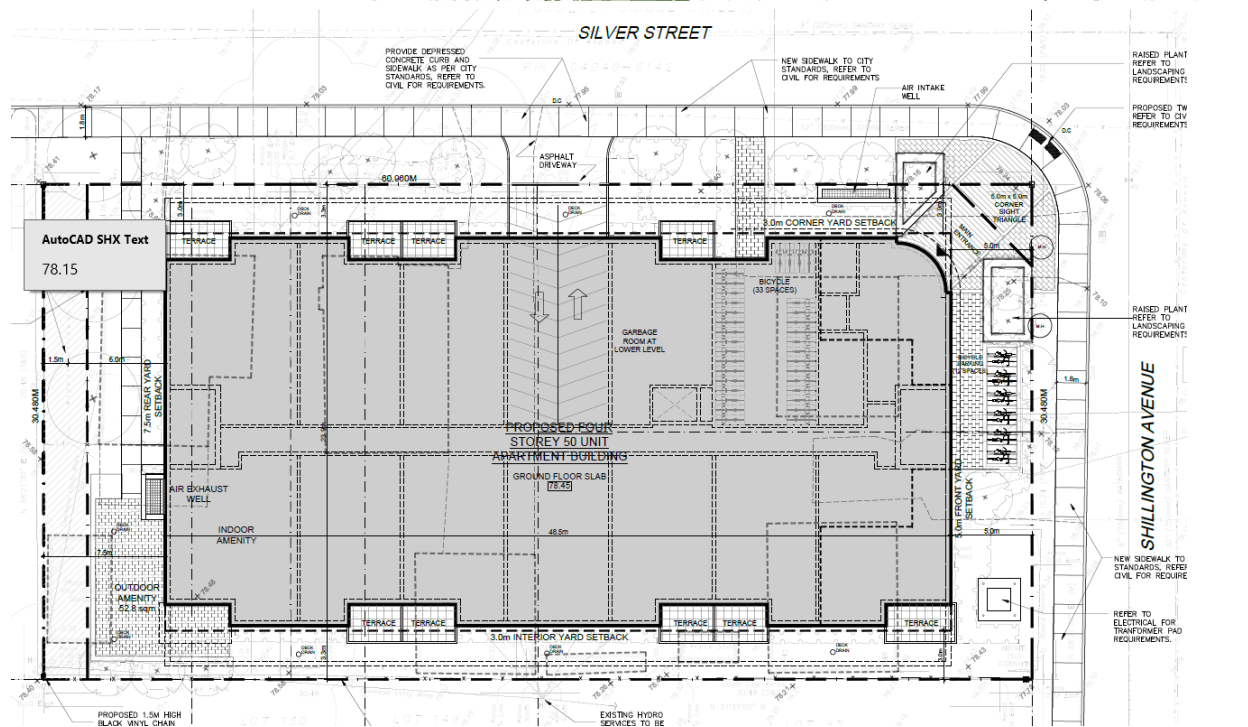
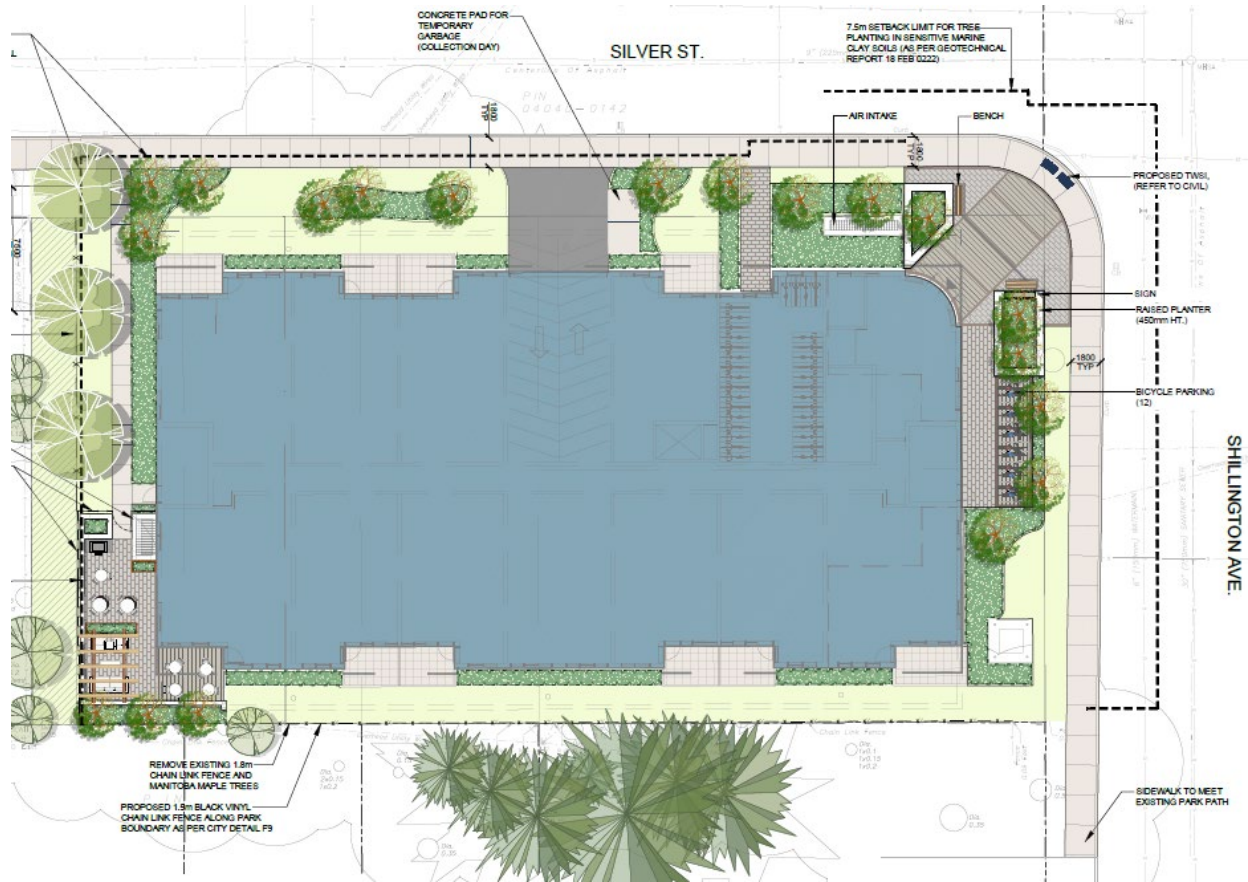
Comment:

There are more parking spaces planned than required, which will require higher rents to pay for the added expense.

Response:

Discussing the parking rate requirements with the applicant, the number of underground parking spaces has been reduced to 27 from 45 vehicular spaces. The 27 spaces include 23 residential spaces and 4 visitor spaces. The minimum vehicular parking requirement is 20 residential spaces and 4 visitor spaces.

Document 4 – Site Plan



Document 5 – Building Massing Rendering



NORTH-EAST VIEWS