

**Subject: Zoning By-law Amendment – 56 and 58 Capilano Drive**

**File Number: ACS2024-PRE-PSX-0009**

**Report to Planning and Housing Committee on 14 February 2024**

**and Council 21 February 2024**

**Submitted on February 8, 2024 by Derrick Moodie, Director, Planning Services,  
Planning, Real Estate and Economic Development**

**Contact Person: Kieran Watson, Planner II, Development Review West**

**613-580-2424, ext.25470, kieran.watson@ottawa.ca**

**Ward: Knoxdale-Merivale (9)**

**Objet: Modification du Règlement de zonage – 56 et 58, promenade  
Capilano**

**Dossier: ACS2024-PRE-PSX-0009**

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

**le 14 février 2024**

**et au Conseil le 21 février 2024**

**Soumis le 8 février 2024 par Derrick Moodie, Directeur, Services de la  
planification, Direction générale de la planification, des biens immobiliers et du  
développement économique**

**Personne ressource: Kieran Watson, Urbaniste II, Examen des demandes  
d'aménagement ouest**

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**Quartier: Knoxdale-Merivale (9)**

## **REPORT RECOMMENDATIONS**

- 1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 56 and 58 Capilano Drive, to amend Urban Exception 2840 to add office as ancillary to a residential use and to add specific exceptions for the development of a low-rise apartment building and a two-storey townhouse 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 February 21, 2024 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 56 et 58, promenade Capilano, afin de modifier l’exception urbaine 2840 et ainsi ajouter un bureau accessoire à une utilisation résidentielle et ajouter des exceptions spécifiques permettant la construction d’un immeuble résidentiel de faible hauteur et d’une habitation en rangée de deux étages, comme l’expose en détail le document 2.
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 21 février 2024 », 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

56 and 58 Capilano Drive

### Owner

Ottawa Salus Corporation

**Applicant**

Fotenn (Attn. Bria Aird)

**Architect**

CSV Architects

**Description of site and surroundings**

The site is located in the Skyline-Fisher Heights neighbourhood and is east of Merivale Road and south of Capilano Drive in Ward 9. The site is generally rectangular in shape, with 44.9 metres of frontage on Capilano Drive and a total area of approximately 2,775 square metres. The property currently shares access to Capilano Drive with the City View Curling Club, which is located on a flag lot that abuts the subject property on the south and east. The site is currently in the early stages of development.

North of the site is a low-rise residential neighbourhood that is predominantly single-detached dwellings on large lots while further north are large format retail and commercial uses. To the east of the site is the driveway serving the City View Curling Club and approximately 14 metres further east are low-rise residential dwellings. To the south of the site is the City View Curling Club. West of the site is Merivale Road, which is occupied by a wide variety of retail, commercial, personal service, and community uses.

**Summary of proposed development**

The proposed development is to include a 163 square metre (1,755 square foot) office in the basement of the low-rise apartment to serve as additional office space for the owner, Ottawa Salus Corporation, a non-profit housing provider. Parking for office employees is proposed through shared parking with the residential uses on site.

**Summary of related development applications**

On November 9, 2022, Council passed By-law 2022-370 to rezone the site to Residential Fourth Density, Subzone Z, Urban Exception 2840, subject to a holding zone (R4Z[2840]-h).

In March 2023, a Site Plan Control application (City File No. D07-12-23-0028) was received for a 58-unit affordable housing development. The site plan was approved via delegated authority on November 1, 2023. The first phase will consist of a four-storey, 54-unit low-rise apartment and the second phase will be a two-storey, 4-unit, townhouse block.

Other applications related to the development proposal include Consent to Sever and Minor Variance applications (City File Nos. D08-01-23/B-00208, D08-01-23/B-00219, D08-02-23/A-00201 and D08-01-23/A-00217) approved by the Committee of Adjustment on October 13, 2023; and a Lifting of Holding Zone application was approved on November 1, 2023 (By-law Number 2023-470).

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

The purpose of this Zoning By-law amendment application is to amend the existing Residential Fourth Density, Subzone Z, Urban Exception 2840 (R4Z[2840]) zoning by adding to Urban Exception 2840 to permit office as an ancillary use for an apartment building, and to add specific exceptions related to the four-storey low-rise apartment building and two-storey townhouse building.

Currently, Urban Exception 2840 requires a minimum rear yard setback of 4.5 metres, a minimum interior side yard setback for the western lot line of 3.0 metres and requires 0 resident parking spaces for affordable dwelling units.

As described in Document 2, it is requested that the existing Urban Exception be amended to include the requested zoning provisions:

- Office is permitted ancillary to low-rise apartment.
- Minimum interior side yard setback is 3.0 metres.
- Maximum number of walkways is three.
- Maximum width of a walkway is 8.3 metres.
- One visitor parking space may be a minimum of 4.6 metres by 2.4 metres.
- Lands zoned R4Z[2480] are to be treated as one lot for zoning purposes.

## **DISCUSSION**

### **Public consultation**

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

Two comments were received from the public, one with concerns for overflow parking and impacts on the surrounding streets, and the second comment wishing to be kept up to date.

**Official Plan designation(s)**

The site is designated as Neighbourhood in the Outer Urban Transect (Schedule B3).

The Outer Urban Transect recognizes a suburban pattern of built form while supporting an evolution towards 15-minute neighbourhoods. The shift towards 15-minute neighbourhoods encourages a focus on transit and connectivity, as well as built form that prioritizes active transportation.

Within the Neighbourhood designation, development is to be characterized as low-rise with a mix of building forms and densities. Non-residential uses are permitted within Neighbourhoods, and are subject to certain criteria discussed further in this Report.

**Other applicable policies and guidelines**

This proposal was reviewed under the Urban Design Guidelines for Low-Rise Infill Housing.

**Planning rationale**

The application has been reviewed under the Official Plan (OP) approved by City Council on November 24, 2021.

The Official Plan directs how the City will grow over time, and this is outlined in policies that support the provision of a wider range of housing options and typologies for larger households (Policy 2.2.1(2)). The Outer Urban Transect is generally characterized by low- to mid-density development and directs that development shall be low-rise within Neighbourhoods (Policy 5.3.1(2)(a)).

Section 5.3 of the Official Plan contains the Outer Urban Transect policies which encourage increased density in neighbourhoods that generally reflect the built form of the neighbourhood. A wide variety of housing types are supported with a focus on lower density missing-middle housing. Building heights of up to four storeys are permitted where appropriate to allow for ground oriented higher density low-rise residential development. The proposed two- and four-storey buildings conform with the maximum building height of four storeys permitted by the Official Plan. The proposed development is missing-middle housing contained within ground oriented low-rise forms that are compatible with the surrounding neighbourhood.

Section 6.3.3 of the Official Plan addresses proposed small-scale, non-residential uses in the Neighbourhood designation where they are not permitted as-of-right by the Zoning By-law. These uses may be considered where: they are small scale and serve the surrounding lands, conveniently located with respect to residential development and provide direct access for pedestrians and cyclists; contribute to 15-minute

neighbourhoods and do not result in large volumes of vehicular traffic from outside the immediate area. The proposed office use conforms with these criteria. It is small in nature due to the use being limited to the basement of the apartment building; it would serve the residents of the apartment and townhouses; pedestrian and cyclist access is provided directly from Capilano Drive; and would not result in large traffic volumes.

The proposal conforms to the Official Plan by proposing a low-rise, built form while also providing missing middle housing within the neighbourhood. The ancillary office use is an appropriate small-scale, non-residential use that will support the affordable housing development. The purpose of the ancillary provision is to ensure that the building is still reviewed as a low-rise apartment dwelling, despite having a non-residential use within it. The proposal is supported by the Official Plan and represents good planning.

The applicant proposes the two locations (56 and 58 Capilano Drive) be considered one lot for zoning purposes, and as a result, the proposed development is considered a Planned Unit Development under Section 131 of the Zoning By-law.

The application also proposes shared parking between the residential and office use. As such, it has been reviewed under Zoning By-law Section 104, and complies with the provisions of this section.

The proposed increase of the maximum width of the walkways from 1.2 metres to 8.3 metres will allow for walkways that are wheelchair accessible as well as create amenity space in the form of front terraces. See Document 4 (site plan) for reference. The increased walkway width will not have a negative impact on the soft landscaping of the front yard, as walkways are included in the soft landscaping calculation. An Environmental Compliance Approval is required for 58 Capilano, in accordance with the [Ontario Water Resources Act, 1990](#) (OWRA), since the two lots have been severed. Since the four-unit townhouse development does not trigger a site plan application, this note has been added to the zoning exception.

### **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.

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

The Ward Councillor is aware of and supports the amendment. The Councillor has been assured that the addition of office space will not result in exceeding the capacity of the limited parking on site.

**ADVISORY COMMITTEE(S) COMMENTS**

N/A

**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 asset management implications associated with this report.

**FINANCIAL IMPLICATIONS**

There are no direct financial implications.

**ACCESSIBILITY IMPACTS**

The new buildings will be required to meet the accessibility criteria contained within the Ontario Building Code. In the low-rise apartment, two of the units will be fully accessible, six will be convertible and forty-six will be visitable.

**TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Has affordable housing and is more liveable for all.

**APPLICATION PROCESS TIMELINE STATUS**

The statutory 90-day timeline for making a decision on this application under the *Planning Act* will expire on March 21, 2024.

**SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Site Plan

## **CONCLUSION**

The proposal aligns with applicable Official Plan policies for the Outer Urban Transect and the Neighbourhood designation. Staff are satisfied that the requested Zoning By-law Amendment for this ancillary office use within a residential use conforms with the Official Plan and represents good planning.

## **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.

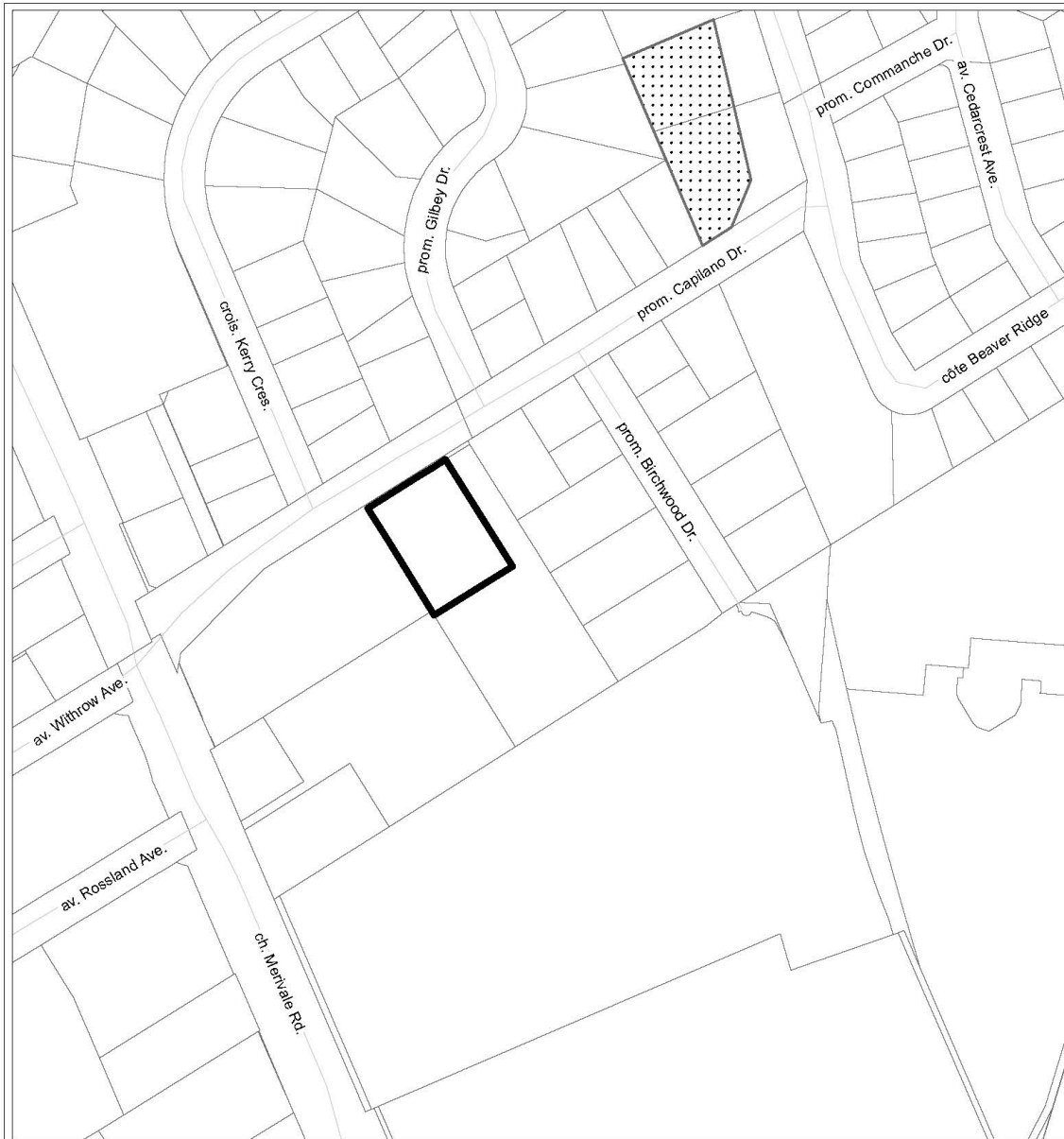
Legal Services, City Manager's Office to forward the implementing by-law to City Council.





Planning Operations, Planning Services to undertake the statutory notification.



# Document 1 – Location Map

The site is located east of Merivale Road and south of Capilano Drive.



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-23-0075	23-0011-D		<b>56, 58 prom. Capilano Drive</b>
I:\CO\2024\ZKPCapilano_56_58			
<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>			Heritage (Section 60) Patrimoine (Article 60)
<small>©Les données de parcelles appartient à Teranet Enterprises 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 - 2024 / 01 / 04			

## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 56 and 58 Capilano Drive:

1. Add to urban exception 2840 by including the provisions similar in effect to the following:
  - a. In Column III, Additional Permitted Land Uses, add the text:
    - i. Office, ancillary to a residential use
  - b. In Column V, Provisions, add the text:
    - i. For the purposes of this exception an ancillary office in an apartment dwelling low-rise is still considered a residential use building
    - ii. Minimum interior side yard setback: 3.0 metres.
    - iii. Maximum number of walkways: three.
    - iv. Maximum width of a walkway: 8.3 metres.
    - v. One visitor parking space may be a minimum of 4.6 metres by 2.4 metres.
    - vi. Lands zoned R4Z[2840] are considered one lot for zoning purposes.
    - vii. An Environmental Compliance Approval is required for 58 Capilano, in accordance with the Ontario Water Resources Act, 1990 (OWRA).

## **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

### Public Comments and Responses

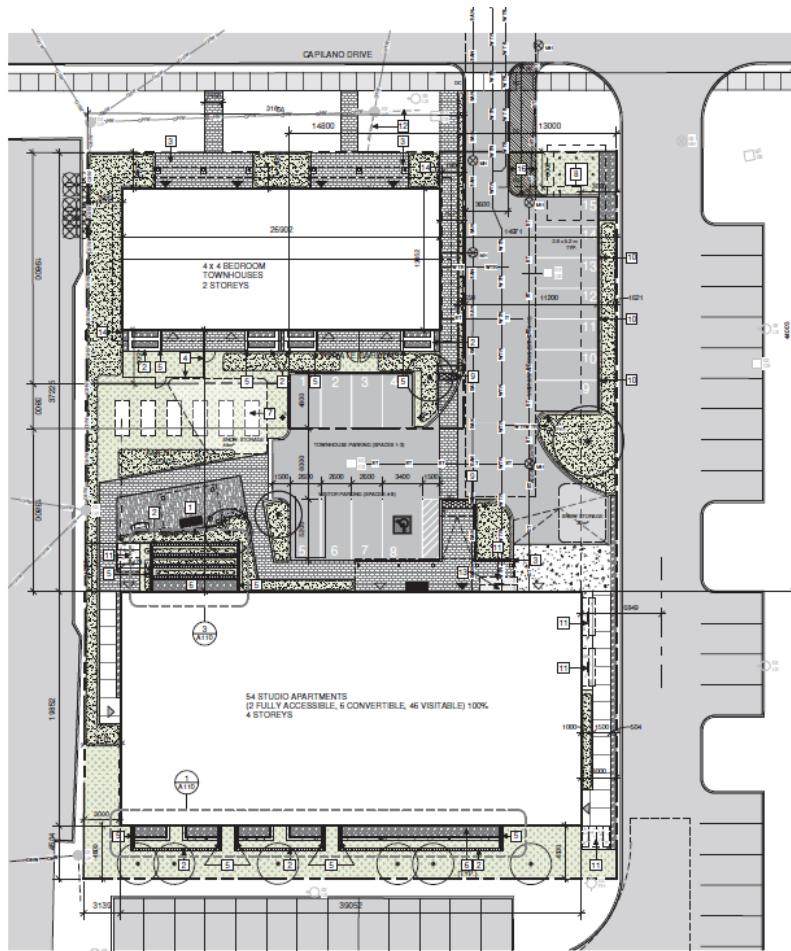
#### **Overflow Parking Concern:**

- I have concerns with spillover parking and increased parking congestion on neighbouring streets.

#### Staff Response

The proposed office use is small in scale and not expected to generate larger traffic volumes. Staff have reviewed the proposed parking associated with the ancillary office use, and find that it meets the shared parking provisions of Section 104 (Shared Parking Provisions) of the Zoning By-law.

Document 4 – Site Plan



**SITE PLAN GENERAL NOTES:**

1. ALL GENERAL SITE INFORMATION AND CONDITIONS COMPILED FROM EXISTING PLANS AND SURVEYS
2. DO NOT SCALE THIS DRAWING
3. REPORT ANY DISCREPANCIES PRIOR TO COMMENCING WORK. NO RESPONSIBILITY IS BORNE BY THE CONSULTANT FOR UNKNOWN SUBSURFACE CONDITIONS
4. CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS ON SITE AND REPORT ANY ERRORS AND/OR OMISSIONS TO THE CONSULTANT
5. REINSTATE ALL AREAS AND ITEMS DAMAGED AS A RESULT OF CONSTRUCTION ACTIVITIES TO THE SATISFACTION OF THE CONSULTANT
6. CONTRACTOR TO LAYOUT PLANTING BEDS, PATHWAYS ETC. TO APPROVAL OF CONSULTANT PRIOR TO ANY JOB EXCAVATION
7. THE ACCURACY OF THE POSITION OF UTILITIES IS NOT GUARANTEED - CONTRACTOR TO VERIFY PRIOR TO EXCAVATION
8. INDIVIDUAL UTILITY COMPANY MUST BE CONTACTED FOR CONFIRMATION OF UTILITY EXISTENCE AND LOCATION PRIOR TO DIGGING
9. ALL DISTURBED AREAS TO BE RESTORED TO ORIGINAL CONDITION OR BETTER UNLESS OTHERWISE NOTED

**SITE PLAN KEYNOTES:**

- 1) SHADE STRUCTURE
- 2) TANDEM NEXT CONCRETE BLOCK RETAINING WALL
- 3) CANOPY STRUCTURE
- 4) CEDAR FENCE 1800mm HIGH, GATES AS SHOWN
- 5) 127mm HIGH STAINLESS STEEL GUARD ANCHORED TO CONCRETE BLOCK RETAINING WALL
- 6) WINDOW WELL
- 7) GARDEN PLOTS
- 8) HYDRO TRANSFORMER
- 9) 500mm DEEP TACTILE INDICATION SURFACE CAST INTO CONCRETE WALKWAY
- 10) TYPE 2 ELECTRIC CAR CHARGING STATION WITH DUAL CHARGERS
- 11) 1800x600mm BICYCLE PARKING SPACE (w/ PARKING RACKING) CENTERED BETWEEN EVERY TWO PARKING SPACES.
- 12) EXISTING GUY WIRE TO REMAIN
- 13) SWMISE CONNECTION
- 14) DOWNSPOUT
- 15) GATE
- 16) DEMOUNTABLE CURB TO ALLOW FOR FIRE ROUTE ACCESS

**SITE PLAN LEGEND:**

- NEW BUILDING
- EXISTING ASPHALT PAVING
- NEW ASPHALT PAVING
- EXISTING GRASS
- NEW GRASS AND SOFT LANDSCAPING
- EXISTING CONCRETE SIDEWALK
- NEW CONCRETE SIDEWALK
- CRUSHED STONE
- NEW CONCRETE PAD
- BUILDING MAIN ENTRANCE
- SECONDARY ENTRANCE / EMERGENCY EXIT
- SERVICE ENTRANCE
- PROPERTY LINE
- FENCE PER LANDSCAPE
- NEW DOMESTIC WATER
- NEW SANITARY

**OVERALL SITE NEW**  
A101 | 1:200