

Subject: Zoning By-law Amendment - 1346 Avenue Q

File Number: ACS2024-PRE-PSX-0003

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**

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Ward: Alta Vista (18)

Objet: Modification du Règlement de zonage - 1346, avenue Q

Dossier: ACS2024-PRE-PSX-0003

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
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REPORT RECOMMENDATIONS

- 1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1346 Avenue Q, as shown in Document 1, from R1O [949] to R2J [xxx1], to permit a semi-detached dwelling, 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 1346, avenue Q, un bien-fonds illustré dans le document 1, afin de faire passer la désignation de R1O [949] à R2J [xxx1] et ainsi permettre la construction d'une habitation jumelée, comme le précise en détail le document 2.
2. Que le Comité de la planification et du logement approuve l'intégration de la section Détails de la consultation du rapport dans la « brève explication » du Résumé des mémoires déposés par écrit et de vive voix, à rédiger par le Bureau du greffier municipal et à soumettre au Conseil municipal dans le rapport intitulé « Résumé des mémoires déposés par écrit et de vive voix par le public sur les questions assujetties aux "explications obligatoires" de la *Loi sur l'aménagement du territoire* à la réunion tenue par le Conseil municipal le 21 février 2024 », sous réserve des mémoires qui seront déposés entre la publication de ce rapport et la date à laquelle le Conseil municipal 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

1346 Avenue Q

Owner

HVC Group Inc.

Applicant

Andrew Clark

Description of site and surroundings

The site is located within the Eastway Gardens neighbourhood, which is to the south of Highway 417 and the Line 1 LRT and to the north of the Via Rail corridor and the Belfast railyards. The site has a lot area of 415.5 square metres and lot depth of 27.46 metres. The surrounding area is a mix of low-density residential consisting mostly of detached and some townhouse dwellings.

Summary of proposed development

The proposed development is for a two-storey, semi-detached dwelling consisting of two principal dwelling units with two additional dwelling units for a total of four dwelling units on the property. Each of the semi-detached units will have an attached garage.

Summary of requested Zoning By-law amendment

The subject property is zoned R1O [949] – Residential First Density, Subzone O with Urban Exception 949, which permits a minimum lot area of 385 square metres for a detached dwelling. The proposed R2J zone would permit a semi-detached dwelling to be constructed and would allow the opportunity to establish separate ownership of each principal unit in the future. The amendment is also looking to create a site-specific exception to reduce the required rear yard area from 25 per cent of the lot area to 24 per cent, as well as the required rear yard setback from 28 per cent of the lot depth to 24 per cent.

DISCUSSION**Public consultation**

Public consultation for this application was conducted in accordance with procedures for Zoning By-law amendment applications. Owners within 120 metres of the site were notified through Canada Post mailing, and two signs posted onsite. Some comments were received by the public and can be seen in Document 3 of this report.

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

Official Plan designation(s)

Within the City of Ottawa's Official Plan on Schedule B6, the site is designated as Neighbourhood in the Inner Urban Transect. The policies pertaining to this designation, in Section 5.2.4 of the Official Plan, support a wide variety of housing types with a focus on missing-middle housing and calls for low-rise built form with a minimum built height of two-storeys and up-to four-storeys when appropriate. The site also falls within the Evolving Neighbourhood Overlay which is a designation used to signal a gradual intensification over time and allow new built forms and diverse functions of land near established corridors.

The subject property also falls within the lands of the "Inner East Lines 1 and 3 Stations Secondary Plan". In this Secondary Plan, the property is designated Density Area E which reverts to the density policies in Volume 1 of the Official Plan as mentioned above.

Planning rationale

The proposed amendment is to permit a semi-detached dwelling on the subject property with two site-specific exceptions to reduce the required rear yard setback and the required rear yard area.

Surrounding built form and density

The surrounding community is mostly comprised of detached dwellings along with some semi-detached to the west and townhouse dwellings to the south of the subject property. The height of the proposed building is also permitted within the existing zone with a maximum of 8 metres.

Staff note that with the recent changes to the City's Zoning By-Law in response to Provincial Bill 23, the applicant would already be permitted to build a detached dwelling on the property with two additional dwelling units, that would permit a total of three dwelling units on the lot. Therefore, the proposal for a total of four dwelling units is only a slight increase over what is currently permitted.

Rear yard setback and area

The amendments looking to reduce the rear yard area and rear yard setback are to ensure the proposed building meets the front yard setback along Avenue Q while providing adequate floor area for the four units. The intent of the rear yard provisions is to ensure an adequate buffer between adjacent lots and to have consistent backyards in

the surrounding area. In examining surrounding properties, Staff have found several lots with a similar rear setback as the one proposed, including the lot directly to the north that has a setback of approximately 6.5 meters. Staff are of the opinion the reductions are minimal and there is still adequate rear yard area to accommodate the residents of the building.

The Official Plan supports gradual intensification, for a wide variety of housing types with a minimum height of two storeys in Evolving Neighbourhoods in the Inner Urban Transect. Staff are satisfied the proposal meets the intent of the Official Plan and introduces a gradual intensification in the 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)

The Councillor is aware of the application related 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 asset management implications.

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 building permit 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.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-23-0079) was processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications.

The statutory 90-day timeline for making a decision on this application under the *Planning Act* will expire on **March 8, 2024**.

SUPPORTING DOCUMENTATION

Document 1 Zoning Key Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Proposed Site Plan

Document 5 Proposed Elevation Drawing

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 R1O [949] to R2J [xxx1] to allow the development of a semi-detached dwelling. 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.

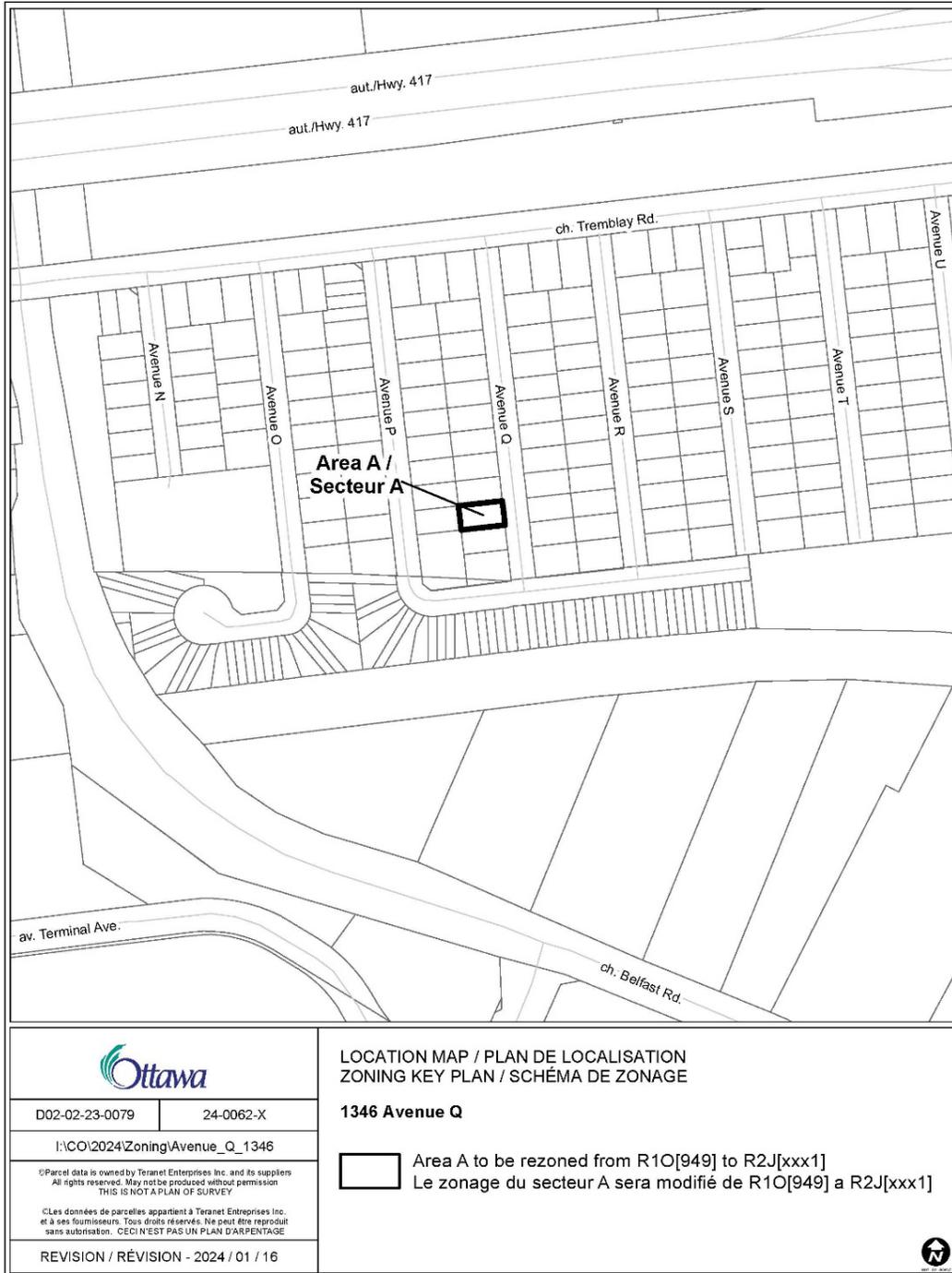
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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

For an interactive Zoning map of Ottawa visit geoOttawa



D02-02-23-0079

24-0062-X

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REVISION / RÉVISION - 2024 / 01 / 16

LOCATION MAP / PLAN DE LOCALISATION
ZONING KEY PLAN / SCHÉMA DE ZONAGE

1346 Avenue Q



Area A to be rezoned from R1O[949] to R2J[xxx1]
Le zonage du secteur A sera modifié de R1O[949] à R2J[xxx1]



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1346 Avenue Q.

1. Rezone the lands as shown Area A in Document 1;
2. Add a new exception xxx1 to Section 239 – Urban Exceptions with provisions similar in effect to the following:
 - a) In Column I, Exception Number, add the text “xxx1”
 - b) In Column II, Applicable Zones, add the text “R2J [xxx1]”
 - c) In Column V, Provisions, add the text:
 - “Minimum rear yard setback = 24 per cent of the lot depth
 - Minimum rear yard area = 24 per cent of total lot area”

Document 3 – Consultation Details

Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. No public meetings were held in the community.

Public Comments and Responses

Comment:

The proposed two-storey building is inconsistent with the character and design of the single-story bungalows along Avenue Q. The plans submitted do not show the sidewalk and gives the appearance of a larger front yard than what will be provided.

Response:

The proposed height for the semi-detached dwelling is in keeping with what is currently permitted with a maximum height of 8 metres. The submitted site plan also shows the building meeting the minimum front yard setback of 6 metres, which is the same required setback on adjacent lots.

Comment:

This proposal does not fit the character of the neighbourhood which is predominantly single-family homes. Multi-unit housing is not appropriate for the Avenues in the neighbourhood and should be built on Tremblay Road.

Response:

With provincial Bill 23 that came into effect in Fall of 2022, the property owner is already permitted to have two additional dwelling units within a detached dwelling that could resemble the semi-detached format seen in this application. The intent of this application is to allow one additional unit than what is already permitted and provide the opportunity to establish separate ownership.

Comment:

There are often parking violations in the Eastway Gardens neighbourhood, with people parking on front lawns and creating laneways to their rear yards. The proposed development consists of 4-units but only two attached garages.

Response:

The applicant has provided one vehicle parking space in each of the attached garage for the principal dwelling units as required in the current Zoning By-Law. Vehicular parking spaces are not required for the two proposed additional dwelling units. Existing issues with illegal parking should be dealt with through the Councillor's office or through City By-Law enforcements.

Comment:

This is a fantastic idea considering the location. Does the subject application apply to only one lot or the full street?

Response:

The subject application is solely for the property at 1346 Avenue Q, which would allow for a semi-detached to be built and severed. There is no other active application in proximity to this property looking to rezone to the R2 zone.

Comment:

Although it will likely be disruptive during the construction phase, this is the type of intensification Ottawa needs to do. I think it should be approved.

Response:

Noted.

