

**Subject: Zoning By-law Amendment – 10 Empress Avenue North**

**File Number: ACS2024-PDB-PSX-0017**

**Report to Planning and Housing Committee on 3 July 2024**

**and Council 10 July 2024**

**Submitted on June 27, 2024 by Derrick Moodie, Director, Planning Services,  
Planning, Development and Building Services**

**Contact Person: Katie Turk, Planner II, Development Review All Wards**

**613-580-2424 ext.25914, Katie.Turk@ottawa.ca**

**Ward: Somerset (14)**

**Objet : Modification du Règlement de zonage – 10, avenue Empress Nord**

**Dossier : ACS2024-PDB-PSX-0017**

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

**le 3 juillet 2024**

**et au Conseil le 10 juillet 2024**

**Soumis le 27 juin 2024 par Derrick Moodie, Directeur, Services de la planification,  
Direction générale des services de la planification, de l'aménagement et du  
bâtiment**

**Personne ressource: Katie Turk, Urbaniste II, Examen des demandes  
d'aménagement tous les quartiers**

**613-580-2424 ext.25914, Katie.Turk@ottawa.ca**

**Quartier : Somerset (14)**

## REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 10 Empress Avenue North, as shown in Document 1, to rezone the site from Residential Fourth Density, Subzone UD to Residential Fourth Density, Subzone UD, Urban Exception XXXX to facilitate the development of a four-storey 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 July 10, 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 du *Règlement de zonage* (n° 2008-250) afin de faire passer le zonage du 10, avenue Empress Nord, comme le montre le document 1, de zone résidentielle de densité 4, sous-zone UD (R4UD), à zone résidentielle de densité 4, sous-zone UD, assortie d’une exception urbaine XXXX (R4UD [XXXX]), pour permettre la construction d’un immeuble d’appartements de quatre étages, comme le précise 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 10 juillet 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**

10 Empress Avenue North

**Owner**

Dalhousie Non-profit Housing Co-operative Inc.

**Applicant**

Novatech Engineers Planners & Landscape Architects (c/o: Simran Soor)

**Architect**

Project1 Studios Incorporated

**Description of site and surroundings**

The subject site is located on the west side of Empress Avenue North and the east side of Perkins Street in the West Centretown neighbourhood. The subject property is in an area bounded by Albert Street to the north, Booth Street to the west, Primrose Avenue to the south, and Cambridge Street to the east. The approximately 1200 square-metre through lot has 35 metres of frontage on Empress Avenue North and 35 metres of frontage on Perkins Street and is currently developed with two townhouse buildings with three units in each building and facing Empress Ave North. The property is surrounded by low-rise residential land uses to the north, south and west, and the Good Companions Seniors Centre and Saint-Vincent Hospital to the east. There is an existing bus stop serviced by OC Transpo located approximately 35 metres north of the site along Albert Street and the Pimisi O-Train Station is approximately 85 metres to the northwest.

**Summary of proposed development**

The proposed development will consist of a four-storey apartment dwelling containing 41 affordable dwelling units on the subject property. The proposed apartment building will contain 17 one-bedroom units, 17 two-bedroom units, and seven three-bedroom units. The main entrance to the building will be off Empress Avenue North. Separate individual entrances will be provided for two of the ground floor units facing Empress Avenue North and for two of the ground floor units facing Perkins Street.

An underground garage is proposed which will be accessed via Perkins Street. This garage will include 13 resident parking spaces and three visitor parking spaces.

Additionally, one parking space will be located at-grade off Perkins Street. 42 bicycle parking spaces will be provided within the underground parking garage with two additional bicycle parking spaces located at-grade near the main entrance to the building.

The development will include a patio and amenity area at the rear of the property and a rooftop terrace amenity space with garden on the roof of the building.

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

The site is currently zoned Residential Fourth Density Subzone UD (R4UD). The R4 zone permits the proposed low-rise apartment use and the Subzone UD speaks to specific zoning provisions for certain low-rise residential building forms.

This Zoning By-law Amendment application proposes to rezone the site to Residential Fourth Density, Subzone UD, Urban Exception XXXX, to facilitate the overall form of the proposed development by seeking to:

- Reduce the minimum required rear yard setback from 4.5 metre to 1.5 metres (along the Perkins Street frontage); and to
- Reduce the minimum required rear yard soft landscaping from 50 per cent to 43 per cent.
- Increase the building height from 14.5 metres to 14.8 metres.

## **DISCUSSION**

### **Public consultation**

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

Five comments were received from residents. All but one was in support of the application. Two residents had concerns regarding the potential for future neighboring developments to build with limited setbacks along Perkins Street and not have room for street trees. One resident had additional concerns regarding the impact of vehicles to the area.

The Good Companions Seniors Centre also wants to ensure movement to and from their property is not negatively impacted.

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

### **Official Plan designation(s)**

The site is located in the Downtown Core Transect under the Official Plan and is designated Neighbourhood, subject to the Evolving Neighbourhood Overlay. Neighbourhoods within this transect are intended to allow and support a wide variety of housing types with a focus on missing-middle housing and provides an emphasis on regulating the maximum built form envelope that frames the public right of way. Within an area subject to an Evolving Overlay, intensification and gradual changes in character are supported to achieve higher densities and an evolution towards a more urban built form.

### **Urban Design Guidelines for Low-rise Infill Housing**

These guidelines provide urban design direction to all low-rise infill development within the Downtown Core, Inner Urban, Outer Urban, and Suburban Transects. The Subject Property is located within the Downtown Core Transect and proposes a low-rise infill development.

### **Transit-Oriented Development Guidelines**

These guidelines provide direction for all development located within a 600-metre walking distance of a rapid transit stop or station. The Subject Property is located within a 600-metre walking distance of the Pimisi LRT station. Therefore, the guidelines apply to the proposed development.

### **Heritage**

The property is not located within a Heritage Conservation District, nor is it affected by the Zoning By-law's Heritage Overlay. The existing building and lands are not designated under the Ontario Heritage Act.

### **Urban Design Review Panel**

The property is not within a Design Priority Area and the Zoning By-law Amendment application and/or Site Plan Control application was not subject to the Urban Design Review Panel (UDRP) process.

### **Planning rationale**

#### Official Plan

The site is located in the Downtown Core Transect under the Official Plan and is designated Neighbourhood, subject to the Evolving Neighbourhood Overlay. Neighbourhoods within this transect are intended to allow and support a wide variety of housing types with a focus on missing-middle housing and provides an emphasis on regulating the maximum built form envelope that frames the public right of way. Within

an area subject to an Evolving Overlay, intensification and gradual changes in character are supported to achieve higher densities and an evolution towards a more urban built form. These areas permit building heights within a low-rise range of development and also strive to support the development of the 15-minute neighbourhood. The Neighbourhood policies seek to distribute the allowed densities in a manner which would allow higher densities in areas closer to transit stations, Corridors, and major neighbourhood amenities. The “evolving” overlay is applied to areas in close proximity to Hubs and Corridors and is meant to signal a gradual evolution over time that will see a change in character to support intensification, including guidance for a change in character from suburban to urban to allow new built forms and more diverse functions of land.

The proposed development contributes to 15-minute neighbourhoods by adding residential density in proximity to a range of services and amenities. The development will increase the number of residential dwelling units on the property from six to 41 dwelling units while maintaining a low-rise built form that is compatible with the neighbourhood. The development will also establish transit-supportive densities within walking distance of Pimisi LRT station. There will be no impacts for vehicle parking on the Empress Avenue North streetscape, as the underground vehicle and bicycle parking entrance will be located along Perkins Street, where there are a number of existing parking spaces for neighbouring dwellings.

The requested relief to the minimum rear yard setback and minimum rear yard soft landscape area will allow for both frontages along Empress Avenue North and Perkins Street to have the same setback which will facilitate the building design providing multiple building entrances from each street. This will provide a more human-scale streetscape. The requested relief to the minimum height will maintain the permitted low-rise format while allowing an additional 0.3 metres to accommodate the proposed architecture. Staff are of the opinion that the proposed rezoning necessary to accommodate the proposed four-storey residential building is consistent with Official Plan policies and represents a built form consistent with the planned function while also maintaining compatibility with the existing surroundings.

#### Urban Design Guidelines for Low-rise Infill Housing

The proposed development adheres to the objectives of the Urban Design Guidelines for Low-rise Infill Housing. Entrances along both Empress Avenue North and Perkins Street will lead directly into some of the ground-floor units, creating active street frontages that are pedestrian-friendly. The principal entrance leading to the upper units and remaining ground-floor units is at grade and is fully accessible. The proposed development effectively utilizes the site by orienting the building towards Empress

Avenue North and providing access to underground parking along Perkins Street, which is primarily characterized by parking areas. The proposed development fits well within the neighbourhood context and respects the existing built form and character of the area. The use of steel cladding for the fourth storey will reduce its visual impact.

### Transit-Oriented Development Guidelines

The proposed development adheres to the objectives of these guidelines. The proposed development provides an increased residential density on the site to support increased transit ridership. Access to on-site vehicle parking is located on Perkins Street, which is characterized by rear yard parking areas. This will reduce conflicts with pedestrians accessing the site along Empress Avenue North.

### **Zoning By-law**

The property is zoned Residential Fourth Density, Subzone UD (R4-UD), which is generally intended to allow for a wide mix of residential building forms ranging from detached to low-rise apartment dwellings. The UD Subzone was established in 2020 to facilitate infill development in R4 zones through reductions to certain setbacks and minimum requirements. UD is the most intensive of the R4 subzones. A four-storey apartment dwelling is proposed for the property. The proposed development will allow for a mix of residential unit types while maintaining a low-rise building form. The proposed development is consistent with the purpose of the R4 zone. To facilitate the proposed low-rise residential building on this through lot, the property is proposed to be rezoned to “R4UD [XXXX]” (Residential Fourth Density, Subzone UD, Urban Exception XXXX), to implement the following site-specific zoning provisions:

- A reduction to the minimum rear yard setback from 4.5 metres to 1.5 metres.
- A reduction to the minimum required rear yard soft landscaped area from 50 per cent to 43 per cent.
- An increase in building height from 14.5 metres to 14.8 metres.

The requested relief will allow for both frontages of this through lot to have the same building setback. The requested relief would also not be required under the new draft Zoning By-law zoning provisions.

### **Provincial Policy Statement**

Staff have reviewed this proposal and have determined that it is consistent the 2020 Provincial Policy Statement.

### **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

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

Ward Councillor Ariel Troster is aware of the application related to this report.

**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 associated with this report.

**ASSET MANAGEMENT IMPLICATIONS**

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 new building will be required to meet the accessibility criteria contained within the Ontario Building Code. Staff have no concerns about accessibility.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

**TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- A city that has affordable housing and is more livable 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 July 13, 2024.



## **SUPPORTING DOCUMENTATION**

Document 1 Location Map / Zoning Key Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Site Plan

Document 5 Conceptual Building Views

## **CONCLUSION**

The Planning, Development and Building Services Department supports the proposed Zoning By-law Amendment. The requested amendments are consistent with the Provincial Policy Statement, Official Plan, applicable design guidelines, and is appropriate for the intensification of the site. The amendment represents good planning and, for the reasons stated above, staff recommend approval of the Zoning By-law amendment.

## **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.

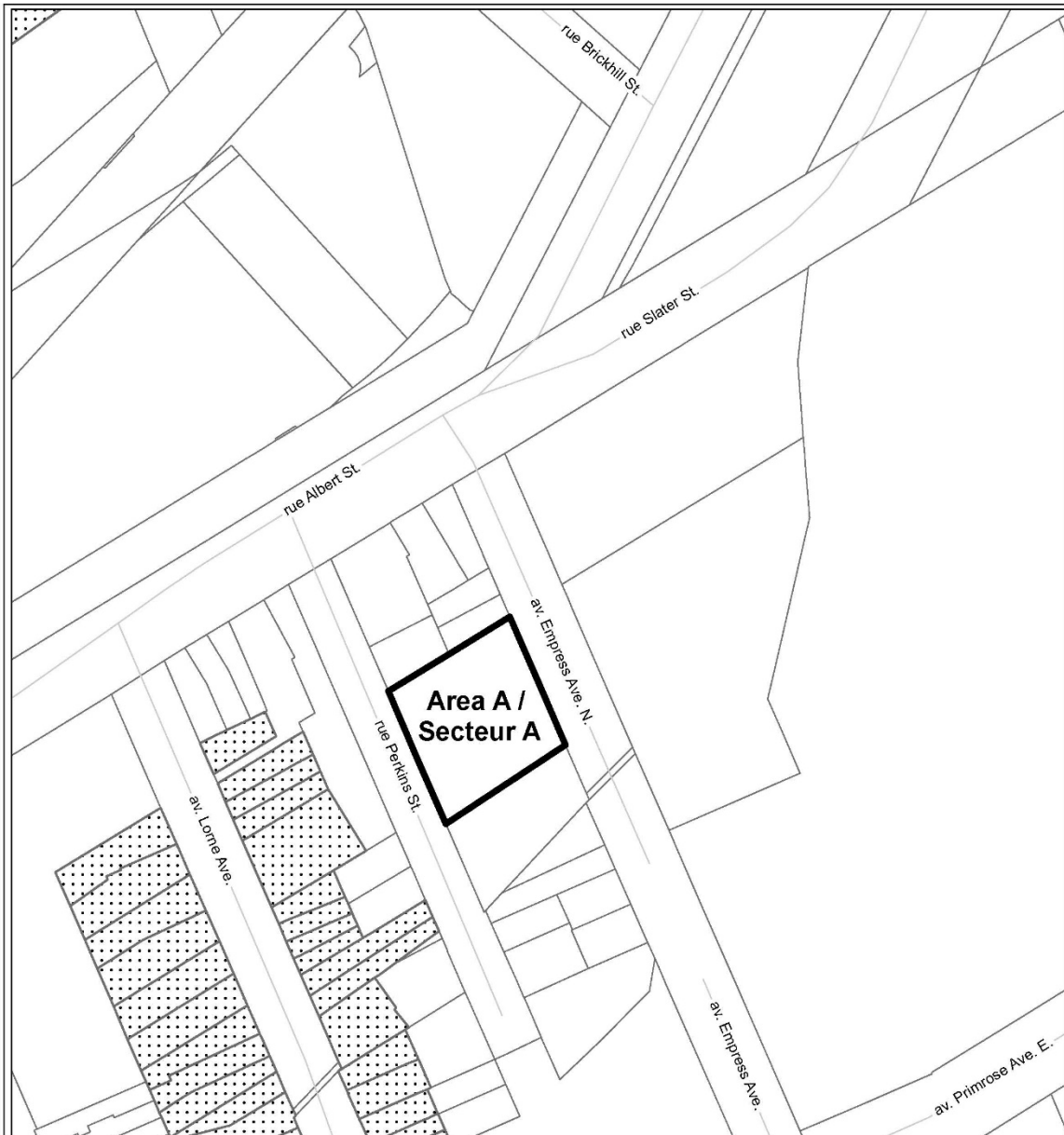
Zoning and Interpretations Unit, Policy Planning Branch, Planning Services to prepare the implementing by-law and forward to Legal Services.



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 / Zoning Key Map**

For an interactive Zoning map of Ottawa visit [geoOttawa](http://geoOttawa)



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-24-0007	24-0563-X	<b>10 avenue Empress Avenue North/nord</b>	
I:\CO\2024\Zoning\Empress_10\...rezone			
<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.                  ©Les données de parcelles appartiennent à Terranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CE CI N'EST PAS UN PLAN D'ARPENTAGE</small>			
REVISION / RÉVISION - 2024 / 05 / 27		[Black Box] Area A to be rezoned from R4UD to R4UD[XXXX] Le zonage du secteur A sera modifié de R4UD à R4UD[XXXX]	
		[Hatched Box] Heritage (Section 60) Patrimoine (Article 60)	
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)			
			 <small>NOT TO SCALE</small>

## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 10 Empress Avenue North:

1. Rezone the lands, as shown in Document 1
2. Amend Section 239, Urban Exceptions, by adding a new exception similar in intent to the following:
  - a) In Column I, Exception Number, add the text: “XXXX”
  - b) In Column II, Applicable Zones add the text, “R4UD[XXXX]”;
  - c) In Column V, Provisions, add the following text:
    - i. The minimum required rear yard setback is 1.5 metres.
    - ii. The minimum required minimum area of rear yard soft landscaping is 43 per cent.
    - iii. The maximum building height is 14.8 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.

Four comments supporting the proposed development were received during the circulation period.

#### Public Comments and Responses

##### Comment:

The proposed apartment development appears to be an excellent addition to the community providing much needed residential units and "gentle density". While a taller site would be preferred, say eight to 15 floors of residential, four floors would suffice given the lot size.

##### Response:

The applicant did consider a taller building mass at the outset of this project but it was determined that a building taller than four storeys would require an Official Plan Amendment.

##### Comment:

Woooooooooo, housing!! Let's gooooo!!!!

##### Response:

Noted.

##### Comment:

The Good Companions is located on Albert at Empress Avenue. While we see no issue with the application, I simply want to make sure that there will be minimal disruption to accessing our facility/Centre. Simply put, the Good Companions serve elderly members of Ottawa and as such, many come by Para-Transpo, driven by friend/family etcetera. They typically are dropped off and picked up at the entrance on Empress. In addition, all deliveries are accessed through our parking lot entrance off of Empress as well.

Response:

The City will work with the applicant through the Site Plan Control approval process to mitigate construction impacts on the neighbouring Good Companions site.

Comment:

General support of this proposed development and its affordability component but has concerns regarding the proposed setback from Perkins Street with respect to space for planting of trees. Also has concerns regarding the present this setback sets for any future neighbouring development.

Response:

Due to the need for a hydro transformer along the Perkins Street frontage, there will only be room for one street tree along this street. The applicant has agreed to explore providing additional trees on another of their proposed sites in order to offset this loss. This will be confirmed through the Site Plan Control application.

Comment:

Questions regarding:

- Whether 13+ three parking spaces are sufficient for number of units proposed
- Why garage entrance is located off Perkins Street and not Empress Ave North as there are more houses along Perkins
- Whether there will be sufficient space in the rear setback to allow for shade trees
- Composition of the rear yard 'soft landscaping'
- How garage will be collected onsite, and the noise associated with the collection

Response:

The proposed parking meets the Zoning By-law minimums and is further supported by the proximity to the Transit Station and proposed 42 indoor bicycle parking spaces.

The anticipated trip generation for the proposed number of dwelling units does not trigger the need for a transportation impact assessment.

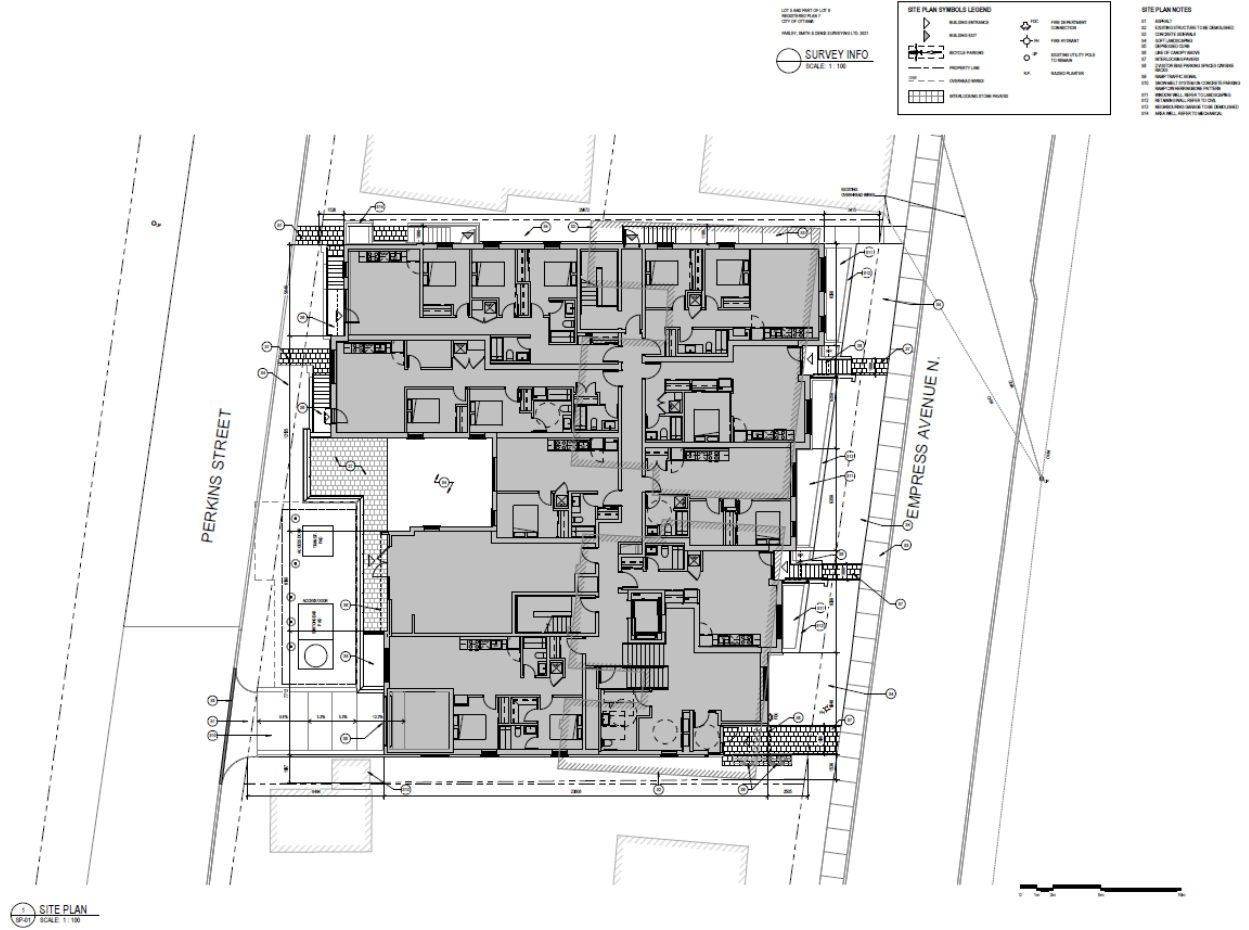
There are currently two residential driveways and two driveway entrances for the Good Companions Centre located off of Empress Ave North. All the properties that either face

onto Perkins Street or are through lots which have rear yard access to Perkins Street currently have driveways which are accessed via Perkins. As such the location of the garage entrance off Perkins is appropriate.

Landscaping onsite will be finalized during the Site Plan application process. Due to the need for a hydro transformer along the Perkins Street frontage, there will only be room for one street tree along this street. The applicant has agreed to explore providing additional trees on another of their proposed sites to offset this loss.

Garbage collection will be determined as part of the Site Plan application process and will meet city guidelines for collection.

# Document 4 – Site Plan



### Document 5 – Conceptual Building Views



10 EMPRESS AVENUE VIEW FROM EMPRESS AVENUE  
| 2014 | SCALE: NTS  
Project Studio Incorporated | mail@projectstudio.ca | projectstudio.ca



10 EMPRESS AVENUE VIEW FROM PERKINS STREET  
| 2014 | SCALE: NTS  
Project Studio Incorporated | mail@projectstudio.ca | projectstudio.ca







10 EMPRESS AVENUE VIEW FROM PERKINS STREET  
| 2014 | SCALE: NTS  
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