

Subject: Zoning By-law Amendment – 67 Kempster Avenue

File Number: ACS2026-PDB-PSX-0037

Report to Planning and Housing Committee on 15 April 2026

and Council 22 April 2026

**Submitted on April 9, 2026 by Derrick Moodie, Director, Planning Services,
Planning, Development and Building Services**

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Ward: Bay (7)

Objet: Modification du Règlement de zonage – 67, avenue Kempster

Dossier: ACS2026-PDB-PSX-0037

Rapport au Comité de la planification et du logement

le 15 avril 2026

et au Conseil le 22 avril 2026

**Soumis le 9 avril 2026 par Derrick Moodie, Directeur, Services de la planification,
Direction générale des services de la planification, de l'aménagement et du
bâtiment**

**Personne ressource: Amanda Davidson, Urbaniste II, Examen des demandes
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REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 67 Kempster Avenue as shown in Document 1, to permit a retail store within an addition to a detached dwelling, as detailed in Document 2.
2. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2026-050 for 67 Kempster Avenue as shown in Document 3, to permit a retail store within an addition to a detached dwelling, as detailed in Document 4.
3. 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 April 22, 2026," 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 visant le 67, avenue Kempster, un bien-fonds illustré dans le document 1, afin de permettre la présence d'un magasins de détail dans le rajout d'une habitation isolée, comme l'expose en détail le document 2.
2. Que le Comité de la planification et du logement recommande au Conseil d'approuver une modification du Règlement de zonage 2026-050 visant le 67, avenue Kempster, un bien-fonds illustré dans le document 3, afin de permettre la présence d'un magasins de détail dans le rajout d'une habitation isolée, comme l'expose en détail le document 4.
3. 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 greffe 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 22 avril 2026 », 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

67 Kempster Avenue

Owner

Lucas Zurawlev & Jocelyn Verdon

Applicant

Q9 Planning + Design (c/o Christine McCuaig)

Description of site and surroundings

The subject site is located on the east side of Kempster Avenue, north of Carling Avenue. Surrounding land uses include a commercial building and commercial plaza to the south, and low rise residential to the north, east, and west.

Summary of proposed development

The proposed rezoning is to accommodate the establishment of a commercial use, specifically a retail store. The proposed addition is approximately 63.41 square metres in size and is to be located within the front yard, as an addition to the front of the existing detached residential dwelling on the site. The applicant also proposes to widen the existing driveway to accommodate vehicular parking for the proposed commercial use. The retail store use would permit the owner to establish a bicycle and ski rental and repair business within the proposed addition.

Summary of requested Zoning By-law amendment

Zoning By-law 2008-250

Under Zoning By-law 2008-250, the subject site is currently zoned R1O (Residential First Density, Subzone O). The R1O zone permits low-density residential uses, generally limited to detached dwellings. As detailed in Document 2, the Zoning By-law Amendment proposes to rezone the site to R1O[XXXX]-c (Residential First Density, Subzone O, Residential Commercial Suffix, Urban Exception XXXX). The zoning amendment would add the Residential Neighbourhood Commercial Suffix (-c) to the site, to permit the development of a retail store using the Residential Neighbourhood Commercial provisions of Section 141. The proposed Urban Exception is to address site specific zoning provisions, with some being existing conditions, to accommodate the proposed addition intended for the retail store use.

The proposed site-specific zoning provisions include:

- Reduce the required minimum lot area to 374.8 square metres (existing condition);
- Reduce the required minimum lot width to 12.20 metres (existing condition);
- Reduce the minimum required front yard setback to 5.22 metres;
- Reduce the minimum interior side yard setback to 0.29 metres on the south side, and 2.91 metres on the north side (existing condition for existing dwelling, required to accommodate the addition in line with the dwelling);
- Reduce the minimum required rear yard setback to 5.0 metres (existing);
- Permit parking in the residential driveway to be used for the proposed commercial use;
- Increase the maximum width of a driveway to 5.44 metres, and permit a double-wide driveway; and
- Permit a reduced landscape strip between a driveway and interior side lot line of 0.15 metres.

Zoning By-law 2026-050

Under by-law 2026-050, the subject site is currently zoned N3C (Neighbourhood Zone 3, Subzone C). The N3C zone permits a range of housing options and residential uses,

with zoning provisions intended to regulate the built form and function of such uses. As detailed in Document 3, the Zoning By-law Amendment proposes to rezone the site to N3C[XXXX]-c. The zoning amendment would add the Neighbourhood Commercial Suffix (-c) to the site to permit the establishment of a retail store pursuant to the provisions of Section 804 – Neighbourhood Commercial Suffix, and permit site-specific zoning provisions, with some reflecting existing conditions, to accommodate the proposed addition intended for the retail store use.

The proposed site-specific zoning provisions include:

- Reduce the minimum interior side yard setback to 0.29 metres on the south side, (existing condition for existing dwelling, required to accommodate the addition in line with the dwelling);
- Reduce the minimum required rear yard setback to 5.0 metres (existing);
- Permit parking in the residential driveway to be used for the proposed commercial use; and
- Permit a reduced landscape strip between a driveway and interior side lot line of 0.15 metres.

DISCUSSION

Public consultation

Public notification and consultation was undertaken in accordance with the City's Public Notification and Public Consultation Policy approved by City Council for Zoning By-law Amendments. Four responses were received through the consultation period. Concerns received related to impact on the surrounding neighbourhood, and traffic and parking associated with the commercial use.

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

Official Plan designation(s)

Pursuant to Schedule A and B3, the subject site is located within the Outer Urban Transect, designated Neighbourhood, and subject to an Evolving Neighbourhood Overlay. The site is in close proximity to Carling Avenue, which is designated as a Mainstreet Corridor pursuant to Schedule B3.

Section 5.3 of the Official Plan outlines the policies for Neighbourhoods within the Outer Urban Transect, including that the intent is to generally recognize the existing suburban

built form, while supporting a transition to more urban built forms. Low-rise built form is permitted, with emphasis on regulating the maximum building envelope framing the public right-of-way. Section 5.6.1 provides the policy direction for the Evolving Neighbourhood Overlay. The Evolving Neighbourhood Overlay is applied to areas in the Neighbourhood designation that are in closer proximity to Hubs and Corridors, with the intent that these areas gradually evolve to a more urban character, with diverse functions of land and new built form, through evolution in use, density, built form, and site design. The shift in character is intended to be gradual and based on the proximity to Hubs and Corridors. Where the Evolving Neighbourhood Overlay applies, the development standards under the Zoning By-law are to be consistent with the planned characteristics of the overlay area and may differ from existing character.

Section 6.3 provides the policy direction for Neighbourhoods. Development within the Neighbourhood designation is to be low rise, pursuant to Policy 3 of Section 6.3.1. Policy 2 of Section 6.3.2 identifies that the City shall establish form-based regulation having required for local context and existing character, appropriate interfaces with the public realm and between residential buildings, proximity to Hubs, Corridors, and rapid-transit, transition in built form, and intended density. Policy 4 of Section 6.3.1 identifies that zoning shall allow a range of residential and non-residential built forms, with guidance for small-scale compatible and complementary non-residential uses to support the emergence of 15-minute neighbourhoods. Such non-residential uses include retail and service uses that meet criteria such that the uses are compatible with surrounding residential uses, particularly low-rise residential uses, including being contained in a compatible built form and site design and which do not reasonably pose a risk of nuisance.

Policy 3 of Section 6.3.3 outlines criteria for the City to consider small-scale non-residential uses within Neighbourhoods. The criteria include that the proposed use meets the following: “they are small scale and serve the surrounding lands; they are conveniently located with respect to concentrations of residential development and provide direct access for pedestrians and cyclists from adjacent residential areas; they help to facilitate interaction among residents and contribute to healthy 15-minute neighbourhoods; and they are of a size and scale that shall not result in the attraction of large volumes of vehicular traffic from outside the immediate area.”

Planning rationale

Staff are of the opinion that the proposal is in conformity with the Official Plan.

Pursuant to Policy 3 of 6.3.1 for the Neighbourhood designation, the proposal maintains a low-rise built form, which ensures compatibility with the built character of the surrounding neighbourhood. The proposed Residential Neighbourhood Commercial zoning reflects a shift to more urban built form by permitting a mixed-use development, in-keeping with the policies of the Evolving Neighbourhood Overlay, supporting a gradual evolution towards the 15-minute neighbourhood model.

The Residential Neighbourhood Commercial use and its zoning provisions maintain the principal residential use of the property and thus prevent conversion of housing stock in accordance with Policy 4 of Section 6.3.1. Furthermore, the provisions of the requested Commercial Suffix zoning ensure that the proposed non-residential development remains compatible with the surrounding neighbourhood, through limiting the permitted uses, limiting the expansion of the use through a maximum gross floor area standard, limiting storage and refuse collection to indoors, and limiting parking to the residential driveway.

From a multi-modal transportation perspective, the site is integrated with the street network due to the close proximity (60.0 metres) to Carling Avenue, a Mainstreet Corridor. Frequent and local bus service is provided along this corridor, providing access by transit. The proposal is also of a small scale and as such, is not anticipated to generate significant vehicular traffic from outside the area, in accordance with Policy 3 (e) of Section 6.3.3. Further, the applicant intends to provide on-site parking to serve the proposed retail use. Under the Residential Neighbourhood Commercial suffix, no new parking spaces may be introduced for a commercial use; however, commercial parking may be permitted within the driveway of a residential use. The applicant is requesting to permit a widened driveway to accommodate the parking needs for the proposed use and the existing dwelling. The proposed parking within the residential driveway is considered appropriate to accommodate the needs of the business and provide off-street parking to minimize local impacts, ensuring compatibility with the surrounding residential uses. The proposed driveway is consistent with the neighbourhood context, and the site maintains sufficient soft landscaping in the front yard.

A number of site-specific provisions have been requested, to accommodate the proposed Residential Neighbourhood Commercial use, to reflect existing conditions and to permit the addition. The requested rear yard setback, lot width, and lot area reflect existing conditions and are not proposed to change through the subject application. The

interior south side yard requested reflects the existing setback of the residential dwelling and would permit the proposed commercial addition to align with the dwelling, maintaining the existing condition along the south side of the site. The reduced front yard setback is considered appropriate to accommodate the construction of the retail store space in front of the dwelling, which aligns the built form with the surrounding context, as the existing dwelling is currently set back further from the street compared to surrounding properties. Permitting the reduced front yard setback will allow the building to better engage with the public realm and complement and reflect the surrounding neighbourhood context, in accordance with the Official Plan direction.

In conclusion, staff are of the opinion that the proposed establishment of a retail store within an addition to the existing residential dwelling, and the proposed site-specific provisions, are appropriate and represent good planning. The proposed use is small-scale and supports the emergence of 15-minute neighbourhoods by providing a local service that is compatible with the surrounding context. The use is not expected to pose a risk of nuisance and provides a transition between existing residential to the north and existing commercial to the south.

Provincial Planning Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2024 Provincial Planning Statement. The application was originally submitted in August 2024, and subject to the 2020 Provincial Policy Statement. Staff have reviewed and determined the proposal is consistent with the 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR(S)

Councillor Theresa Kavanagh is aware of the application related to this report.

ADVISORY COMMITTEE(S) COMMENTS

The application was circulated to the Accessibility Advisory Committee through the consultation process. The Accessibility Advisory Committee had no concerns with the proposed modifications.

LEGAL IMPLICATIONS

There are no legal impediments to adopting the recommendations in this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications for the report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

The application was circulated to the Accessibility Advisory Committee through the consultation process. The Accessibility Advisory Committee had no concerns with the proposed modifications. The proposal will be subject to the accessibility requirements of the Ontario Building Code.

TERM OF COUNCIL PRIORITIES

[2023-2026 Term of Council Priorities](#): Indicate the priority or priorities that support your recommendation(s). The four priorities are a city that: has affordable housing and is more liveable for all; is more connected with reliable, safe and accessible mobility options; is green and resilient; has a diversified and prosperous economy.

This project addresses the following Term of Council Priorities:

- A city that has a diversified and prosperous economy.

APPLICATION PROCESS TIMELINE STATUS

The statutory 90-day timeline for making a decision on this application under the *Planning Act* will expire on April 28, 2026.

SUPPORTING DOCUMENTATION

Document 1 Location Map / Zoning Key Map

Document 2 Details of Recommended Zoning

Document 3 Location Map/Zoning Key Map By-law 2026-050

Document 4 Details of Recommended Zoning By-law 2026-050

Document 5 Site Plan

Document 6 Consultation Details

CONCLUSION

The Planning, Development, and Building Services Department supports the proposed Zoning By-law Amendment for 67 Kempster Avenue to permit a commercial use under the Neighbourhood Commercial Suffix. The proposal conforms with the Official Plan direction for Neighbourhoods in the Outer Urban Transect.

DISPOSITION

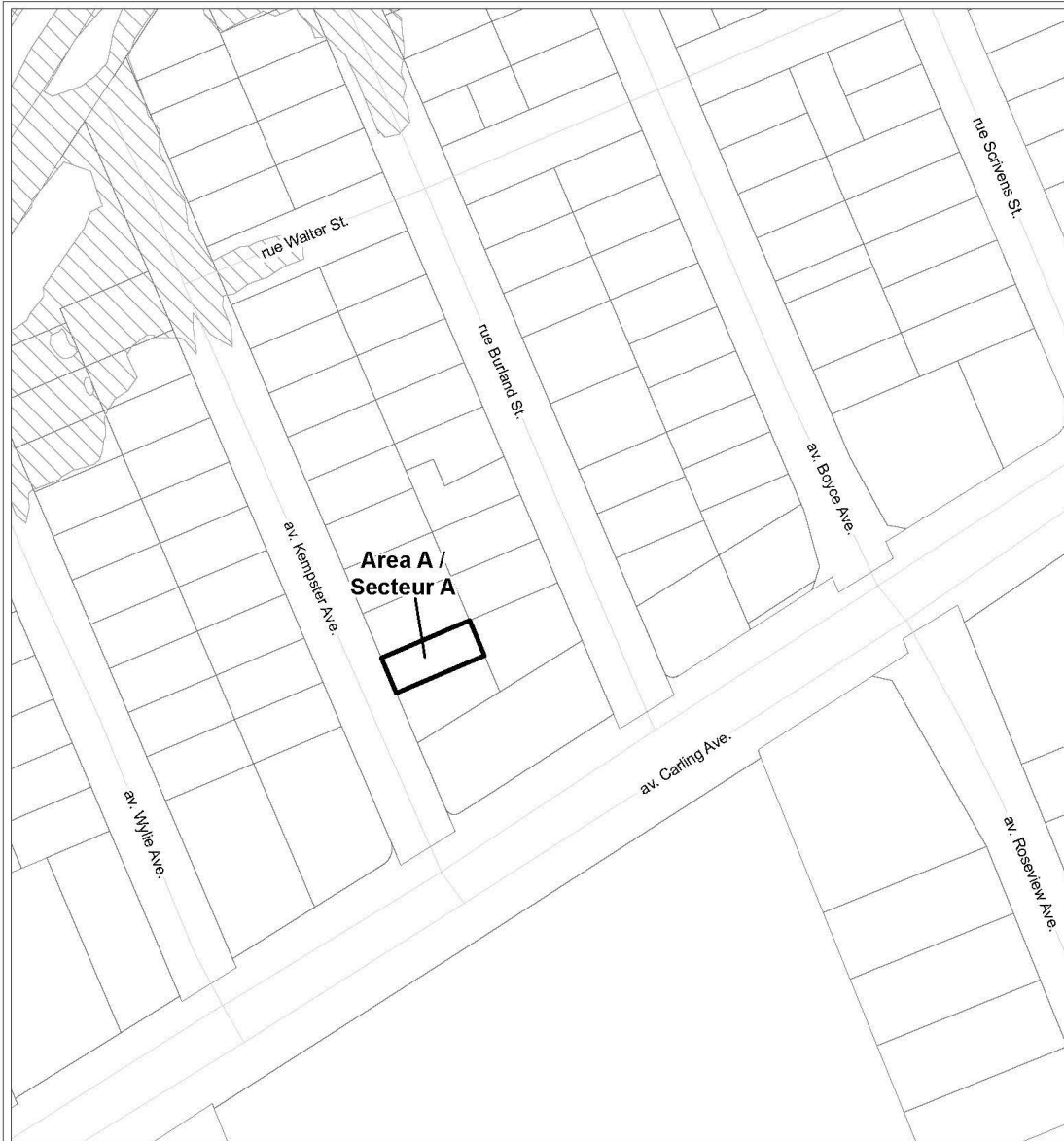
The Planning, Development and Building Services Department will prepare an implementing by-law and forward it to Legal Services.

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



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-24-0037	26-0025-D	67 av. Kempster Avenue	
I:\CO\2026\ZKPKempster_67		 Area A to be rezoned from RIO to R1O[XXXX]-c Le zonage du secteur A sera modifié de RIO à R1O[XXXX]-c	
<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>		 Existing Flood Plain (Section 58) / Plaine inondable (Article 58)	
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REVISION / RÉVISION - 2026 / 03 / 10			

Document 2 – Details of Recommended Zoning





The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 67 Kempster Avenue:

1. Rezone the lands as shown in Document 1
2. Add new exception XXXX to Section 239 – Urban Exceptions with provisions similar in effect to the following:
 - a. In Column I, exception number, add the text “XXXX”
 - b. In Column II, Applicable Zones, add the text “R1O[XXXX]-c”
 - c. In Column V, provisions, add the text:
 - i. Minimum lot area: 374.0 square metres
 - ii. Minimum lot width: 12.20 metres
 - iii. Minimum rear yard setback: 5.0 metres
 - iv. Minimum width of a landscape strip between a driveway and interior side lot line: 0.15 metres
 - v. Minimum interior south side yard setback: 0.29 metres
 - vi. Minimum front yard setback: 5.0 metres
 - vii. A double-wide driveway is permitted at a maximum width of 5.4 metres
 - viii. Non-residential parking associated with a permitted use in the Residential Neighbourhood Commercial Suffix is permitted within a residential driveway.
 - ix. No parking area is permitted between the front wall of a building and the front lot line.

Document 3 – Location Map / Zoning Key Map 2026-050

For an interactive Zoning map of Ottawa visit geoOttawa



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
67 avenue Kempster Avenue		 Area A to be rezoned from N3C to N3C[XXXX]-c Le zonage du secteur A sera modifié de N3C à N3C[XXXX]-c	
D02-02-24-0037	26-0279-X	©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 ©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	
I:\CO\2026\ZKP\Kempster_67			
REVISION / RÉVISION - 2026 / 03 / 11		 Existing Flood Plain (Section 501) / Plaine inondable (Article 501)	

Document 4 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2026-050 for 67 Kempster Avenue:

1. Rezone the lands as shown in Document 3
2. Add new exception XXXX to Part 15 – Exceptions with provisions similar in effect to the following:
 - a. In Column I, Exception Number, add the text: “XXXX”
 - b. In Column II, Applicable Zones, add the text: “N3C[XXXX]-c”
 - c. In Column V, Provisions, add the text:
 - i. Minimum rear yard setback: 5.0 metres
 - ii. Minimum width of a landscape strip between a driveway and interior side lot line: 0.15 metres
 - iii. Minimum interior south side yard setback: 0.29 metres
 - iv. Non-residential parking associated with a permitted use in the Neighbourhood Commercial Suffix is permitted within a residential driveway.
 - v. No parking area is permitted between the front wall of a building and the front lot line.

Document 6 – 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. The City received responses from five residents through the consultation period.

Public Comments and Responses

Comment Theme 1: Proposed Commercial Use and Local Impact

- Concerns with precedent and potential impact on the surrounding area, including impacts on privacy.
- Concern regarding construction-related impacts including noise.
- Concern with encroachment of commercial uses further north on Kempster, and preference to maintain existing residential character.
- Concern with potential impacts from commercial use.
- Concerns with potential damage to neighbouring trees.

Response:

- The proposed use is considered appropriate and consistent with the Official Plan policies for the area, as the Neighbourhood Designation intends to allow small-scale commercial uses. The proposal is small in scale and complementary to the surrounding residential context. The residential use of the property is to be maintained.
- The provisions of the proposed commercial suffix limit the scope and impact of commercial uses. The use will be contained indoors, with no outdoor storage or waste collection permitted.
- All future construction activity would be subject to the City of Ottawa By-laws, including the Noise By-law and Tree Protection By-law.

Comment Theme 2: Traffic and Parking

- Concerns with commercial parking in residential area. There are existing concerns concerning commercial parking from nearby businesses, and on-street parking.
- Concerns with increased traffic and on-street parking, considering the lack of sidewalks on Kempster.

Response:

- Due to the small scale of the use, significant traffic impacts are not anticipated. Off-street parking is provided through permitting the commercial use to utilize the existing driveway to accommodate parking for the proposed retail store.
- On-street parking infringements are a By-Law Enforcement matter, and concerns regarding on-street parking may be reported to the City via 3-1-1.