

4. Zoning By-law Amendment – 982 and 986 Frances Street
Modification du Règlement de zonage – 982 et 986, rue Frances

Committee recommendations

1. That Council approve an amendment to Zoning By-law 2008-250 for 982 and 986 Frances Street to permit an additional use of a day care, along with associated parking provisions as detailed in Document 2.
2. That the approval of the implementing by-law not proceed until the applicant has entered into a development agreement and address the following matters:
 - a. 982 and 986 Frances have merged on title
 - b. Site services for 982 and 986 Frances are merged
 - c. Fencing and additional landscaping are provided and are sensitive to the abutting residential properties, to the satisfaction of Planning, Real Estate and Economic Development Department.

Recommandations du Comité

1. Que le Conseil approuve une modification du Règlement de zonage 2008-250 visant les 982 et 986, rue Frances, afin de permettre une utilisation supplémentaire de garderie et de modifier les dispositions connexes de stationnement, comme l'expose en détail le document 2.
2. Que l'approbation du règlement d'application ne soit pas accordée avant que le requérant ait conclu une entente d'aménagement prenant en compte les points suivants :
 - a. les 982 et 986, rue Frances ont été fusionnés sur le titre;

- b. **les services viabilisant les 982 et 986, rue Frances ont été fusionnés;**
- c. **les clôtures et les éléments paysagers supplémentaires tiennent compte des propriétés résidentielles contiguës, à la satisfaction de la Direction générale de la planification, de l'immobilier et du développement économique.**

Documentation/Documentation

1. Report from the Acting Director, Planning Services, Planning, Real Estate and Economic Development, dated April 11, 2022 (ACS2022-PIE-PS-0045)

Rapport de la Directrice par intérim Services des emprises, du patrimoine et du design urbain, Direction générale de la planification, de l'immobilier et du développement économique, daté le 11 avril 2022 (ACS2022-PIE-PS-0045)
2. Extract of draft Minutes, Planning Committee, April 28, 2022

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 28 avril 2022

Subject: Zoning By-law Amendment – 982 and 986 Frances Street

File Number: ACS2022-PIE-PS-0045

**Report to Planning Committee on 28 April 2022
and Council 11 May 2022**

**Submitted on April 11, 2022 by Lily Xu, Acting Director, Planning, Real Estate and
Economic Development**

**Contact Person: Kimberley Baldwin, Planner II, Development Review Central
613-580-2424, 23032, Kimberley.Baldwin@ottawa.ca**

Ward: Rideau-Rockcliffe (13)

Objet : Modification du Règlement de zonage – 982 et 986, rue Frances

Dossier : ACS2022-PIE-PS-0045

Rapport au Comité de l'urbanisme

le 28 avril 2022

et au Conseil le 11 mai 2022

**Soumis le 11 avril 2022 par Lily Xu, Directrice par intérim, Direction générale de la
planification, des biens immobiliers et du développement économique**

**Personne ressource : Kimberley Baldwin, Urbaniste II, Examen des demandes
d'aménagement centrale**

613-580-2424, 23032, Kimberley.Baldwin@ottawa.ca

Quartier : Rideau-Rockcliffe (13)

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to
Zoning By-law 2008-250 for 982 and 986 Frances Street to permit an**

additional use of a day care, along with associated parking provisions as detailed in Document 2.

2. That the approval of the implementing by-law not proceed until the applicant has entered into a development agreement and address the following matters:
 - a. 982 and 986 Frances have merged on title
 - b. Site services for 982 and 986 Frances are merged
 - c. Fencing and additional landscaping are provided and are sensitive to the abutting residential properties, to the satisfaction of Planning, Real Estate and Economic Development Department.
3. That Planning 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 *May 11, 2022*," 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 l'urbanisme recommande au Conseil approuve une modification du Règlement de zonage 2008-250 visant les 982 et 986, rue Frances, afin de permettre une utilisation supplémentaire de garderie et de modifier les dispositions connexes de stationnement, comme l'expose en détail le document 2.
2. Que l'approbation du règlement d'application ne soit pas accordée avant que le requérant ait conclu une entente d'aménagement prenant en compte les points suivants :
 - a. les 982 et 986, rue Frances ont été fusionnés sur le titre;
 - b. les services viabilisant les 982 et 986, rue Frances ont été fusionnés;

- c. les clôtures et les éléments paysagers supplémentaires tiennent compte des propriétés résidentielles contiguës, à la satisfaction de la Direction générale de la planification, de l'immobilier et du développement économique.**
- 3. Que le Comité de l'urbanisme 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 11 mai 2022 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision.**

EXECUTIVE SUMMARY

Planning staff recommend approval of the Zoning By-law amendment application for 982 and 986 Frances Street to permit 'a day care' as an additional land use permitted in the R1O zone. The proposal aligns with applicable Official Plan policies for this site.

The applicant has requested to add the use of a day care as a permitted use while retaining the existing permitted uses that are in the existing residential zoning. The proposed day care will be a continuation of the adjacent and existing educational facility at 998 Frances Street (Académie Providence Sours Antonines) located to the west, which is a kindergarten and elementary school.

In addition to the requested use of a day care, the applicant is also seeking that two of the four required parking spaces be located on the adjacent school property and to also permit two parking spaces located in the existing driveway on the property at 986 Frances Street to be located in the front yard.

The intent of this application is to renovate the two existing houses to repurpose them to be used as a day care and to build a connecting addition which would allow them to be used as one building. The main access for the proposed day care will be provided through the existing school site, through the rear yard of the subject property.

The following policies support this application:

- General Urban Area policies in Section 3.6.1 of the Current Official Plan permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances, in combination with conveniently located employment, retail, service, cultural, leisure, entertainment and institutional uses. This will facilitate the development of complete and sustainable communities.
- Urban Design and Compatibility policies in Section 4.11 supports growth at the scale of neighbourhoods or individual properties, issues such as noise, spillover of light, accommodation of parking and access, shadowing, and micro-climatic conditions are prominent considerations when assessing the relationships between new and existing development.

RÉSUMÉ

Le personnel chargé de l'urbanisme recommande l'approbation de la demande de modification du Règlement de zonage visant les 982 et 986, rue Frances, afin de permettre une utilisation supplémentaire de garderie dans la zone R10. La proposition est conforme aux politiques pertinentes du Plan officiel pour cet emplacement.

Le requérant a demandé l'ajout d'une utilisation de garderie aux utilisations autorisées existantes dans la désignation résidentielle actuelle. La garderie proposée viendra compléter un établissement d'enseignement adjacent à l'ouest, situé au 998, rue Frances (Académie Providence Sœurs Antonines), qui accueille des classes de maternelle et primaires.

Outre l'utilisation de garderie sollicitée, le requérant souhaite aménager deux des quatre places de stationnement requises sur la propriété scolaire adjacente, et déplacer dans la cour avant deux places de stationnement situées dans l'entrée privée existante du 986, rue Frances.

La demande a pour objet de permettre la rénovation des deux habitations existantes pour les transformer en garderie, et la construction d'une annexe pour fusionner ces deux bâtiments en un seul immeuble. Tous les accès à la garderie proposée donneront sur l'emplacement de l'école existante, par la cour arrière de la propriété.

Les politiques suivantes sont favorables à cette demande :

- Les politiques du « secteur urbain général » de la section 3.6.1 du Plan officiel actuel permettent l'aménagement d'un large éventail de types d'habitations qui répondent aux besoins des gens, peu importe leur âge, leur revenu et leur situation, tout en assurant la proximité de lieux de travail, de commerces de détail, de services, d'utilisations culturelles, récréatives, de divertissement et institutionnelles. Elles permettront la création de collectivités complètes et durables.
- Les politiques de design urbain et de compatibilité de la section 4.11 sont favorables à la croissance à l'échelle des quartiers ou des propriétés individuelles; les questions comme le bruit, les débordements de lumière, le stationnement et l'accès au stationnement, l'ombre et les conditions microclimatiques sont des considérations primordiales dans l'examen des rapports entre le nouvel aménagement et celui qui existe déjà.

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

982 and 986 Frances Street

Owner

Congregation des Soeurs Antonines Canada and Soueur Leila Azzi (986) and Soueur Felicite Daou (982)

Applicant

P.H. Robinson Consulting

Description of site and surroundings

The subject site is located on the west side of Frances Street, in the Rideau-Rockcliffe Ward. The site is comprised of two properties, which each currently contain detached single-family homes. Combined, the properties have approximately 36 metres of frontage on Frances Street and a lot area of 1,204 square metres.

Abutting properties to the north and south, and across the street from the subject site are low-rise residential uses. Further south and immediately west of the site are institutional uses, encompassing the Academie Providence Soeurs Antonines, a private elementary school, and St. Sebastien Church. The site is approximately 70 metres south of Donald Street, a major collector road with a mix of residential and commercial uses.

Summary of requested Zoning By-law amendment proposal

The subject site is zoned R1O – Residential First Density Zone. The proposed Zoning By-law Amendment seeks to introduce a site-specific urban exception to add 'day care' as a permitted land use on the subject lands.

In addition to the requested additional use of a day care, the applicant is also requesting zoning permission for two of the four required parking spaces to be located on the adjacent school property and allow two parking spaces on the property at 986 Frances Street to be located in the front yard.

DISCUSSION

Public consultation

This application was subject to public circulation under the Public Notification and Consultation Policy.

Public feedback was received from 11 residents. Concerns related to the capacity of the school and day care, traffic in the neighbourhood, and how the school would function with the day care.

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

Official Plan designation(s)

Current Official Plan

The proposal has been reviewed under the current Official Plan. The proposed zoning amendment is consistent with the applicable Official Plan policies, including General Urban Area policies (Section 3.6.1).

The site is designated General Urban Area on Schedule B of the existing Official Plan. Policies for General Urban Area are found in Section 3.6.1 of the Plan. The General Urban Area permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances, in combination with conveniently located employment, retail, service, cultural, leisure, entertainment and institutional uses. This will facilitate the development of complete and sustainable communities.

Section 2.5.1 addresses compatible development, encouraging development within an established community to utilize good design to co-exist with existing development, without causing undue adverse impact on surrounding properties. Objective criteria can be used to evaluate compatibility, and these are set out in Section 4.11.

Compatibility of new buildings with their surroundings is achieved in part through the design of the portions of the structure adjacent to existing buildings and/or facing the public realm. In this regard, the proposed day care maintains the setbacks, massing and design of the existing residential dwellings in a conscious attempt to maintain the character of the streetscape.

Throughout the General Urban Area, the City will encourage the provision of a variety of service uses that complement adjacent residential land uses and are of a size and scale consistent with the needs of nearby residential areas.

New Official Plan

The site is situated in the 'Inner Urban Transect, Neighbourhood' in Schedule A of the New Official Plan. This designation aims to enhance or establish an urban pattern of built form and mix of uses to support a 15-minute neighbourhood. This is a neighbourhood which is compact, well-connected with clustering of a diverse mix of land uses where daily and weekly needs can be accessed within a 15-minute walk; this includes a range of housing types, shops, services, local access to food, schools and

childcare facilities, employment, greenspaces, parks and pathways. They are complete communities that support active transportation and transit, reduce car dependency, and enable people to live car-light or car free.

Section 5.2.1.4 notes that the Inner Urban Transect shall continue to develop as a mixed-use environment, where small, locally oriented services may be appropriately located within Neighbourhoods. Section 5.2.2.3 supports minimizing driveway approaches and the impacts of parking on the development of a site.

Planning rationale

Staff are supportive of the applicant's request to permit a 'day care' on the subject lands. The applicant has requested to add the use of a day care as a permitted use while retaining the existing permitted uses that are in the existing residential zoning. The day care will be a continuation of the existing and adjacent educational facility at 998 Frances Street (Académie Providence Soeurs Antonines), which is a kindergarten and elementary school.

Pick up/drop off will be located at the drop off location at the adjacent school within the existing parking lot and will not be on Frances Street or a driveway connected with this zoning application. There is a pedestrian connection internal to the site that will allow users to access the site from the existing adjacent school site. The day care use is supported by both the existing Official Plan and the new Official Plan by supporting a variety of day to day uses available for local residents and supporting goals of a 15-minute neighbourhood, providing both day care and employment.

In addition to the requested additional use of a day care, the applicant requests for two of the four required parking spaces to be located on the adjacent school property and allow two parking spaces on the property at 986 Frances Street to be located in the front yard.

The proposal consolidates the two driveways from the existing home into one single driveway, thereby reducing the number of private approaches entering the public right of way. Additional landscaping is proposed in the front yard, and within one of the former driveways. A single vehicular access is maintained. Two parking spaces will be maintained on site, with another two provided at the adjacent school site, thereby minimizing parking on the subject lands. During the course of consultation, the

Community Association had no objection to using the existing driveway at 986 Frances for limited parking for day care staff.

The site development includes the renovation of the two existing houses to repurpose them to be used as a day care. The applicant proposes to build a connecting addition, which would allow them to be used as one building. No additional building height is proposed, nor are any additions in the side yards proposed. To mitigate the impact on the adjacent uses, the applicant proposes fencing and the re-instatement of sod along the north property line. To the west, the property immediately abuts the affiliated elementary school, as such, no impacts are anticipated. The existing tree in the rear yard will be retained.

Requirements for landscaping and fencing, in addition to servicing requirements, will be addressed through a development agreement.

The proposed day care will provide additional capacity for the existing church and school which have operated for many years in this area with no known negative impacts while supporting a desirable 15-minute neighbourhood.

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 associated with this report.

COMMENTS BY THE WARD COUNCILLOR(

Councillor King provided the following comments:

“While it is noted that there is a lay-by on Frances, plus two school parking spaces made available, and while it is recognized that day care attendees are not really old enough to ride on school buses unattended, it would be appreciated if all practicable steps are taken to alleviate traffic congestion during the day care’s drop-off/pick-up times.”

LEGAL IMPLICATIONS

In the event the recommendations are adopted and the resulting zoning by-law is appealed to the Ontario Land Tribunal, it is expected that a two day hearing would be required. It is anticipated that the hearing could be conducted within staff resources. Should the application be refused, reasons must be provided. In the event of an appeal, it would be necessary to retain an external planner.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the report recommendations. In the event the application is refused and appealed, it would be necessary to retain an external planner. This expense would be funded from within Planning Services' operating budget.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- **Thriving Communities:** Promote safety, culture, social and physical well-being for our residents.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-21-0056) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to workload volumes.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning.

Document 3 Consultation Details

CONCLUSION

Planning staff recommend approval of the Zoning By-law amendment application for 982 and 986 Frances Street to permit 'a day care' as an additional land use permitted in the R1O zone. The proposal aligns with applicable Official Plan policies for this site.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (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, Innovative Client Services Department to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa

The site is located on the west side of Francis Street, south of Donald Street.



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 982 and 986 Frances Street:

1. Add a new exception [XXXX] to Section 239, Urban Exceptions with provisions similar to the effect as the following:
 - a. In Column II, Applicable Zones, add the text: R1O [XXXX]
 - b. In Column III, Exception Provisions - Additional land uses permitted, add the text: day care
 - c. In Column V, Exception Provisions – Provisions, add the text:

The following shall apply to a day care:

- Two front yard parking spaces are permitted at 986 Frances Street
- Two required parking spaces for 982 and 986 Frances Street may be provided at 998 Frances Street

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. Planning staff received 11 public comments regarding this application. The comments are grouped according to theme below:

Public Comments and Responses

Comment: Use

- The use should not be permitted on a residential street.
- The buildings should remain single family homes
- There is a residential streetscape, it will detract from the community of the street.
- The use is needed / welcome in the neighbourhood.
- The use is only ok because of the design of the building to appear residential, will it be expanded in the future.

Response:

The zoning will only allow for one additional use (a day care) within the existing footprint, plus a small connecting atrium area between the two existing buildings. The building modifications have been designed to blend in with the low-rise character of the street. No additional height is proposed. The use will function as an extension of the existing institutional uses adjacent to the site. This will additionally aide in consolidating parking / drop off impacts as these will be restricted to the existing access / drop off. The City's Official Plan additionally supports 15-minute neighborhoods which provide a range of uses to meet the needs of local residents.

Comment: Traffic / Parking

- There will be an increase in traffic and parking at pick up / drop off times.

Response:

Pick up/drop off will be located at the drop off location at the adjacent school within the existing parking lot and will not be on Frances Street or a driveway connected with this zoning application. There is a pedestrian connection internal to the site will allow users to access the site from the existing adjacent school site.

Comment: Environmental

- An old growth tree should not be removed for a parking area.

Response

No old growth trees are proposed to be removed. The only parking being provided for this project is existing parking on the school property and two existing spaces on the driveway on the southerly property, which is part of this zoning application. The tree in the rear yard is to be retained and is considered an asset to the daycare yard space. Additional landscaping and fencing will be provided.