

**Subject: Zoning By-law Amendment - 1058, 1062, and 1066 Silver Street**

**File Number: ACS2022-PIE-PS-0097**

**Report to Planning Committee on 25 August 2022**

**and Council 31 August 2022**

**Submitted on August 12, 2022 by Derrick Moodie, Director, Planning Services,  
Planning, Real Estate and Economic Development**

**Contact Person:**

**Tracey Scaramozzino, Planner II, Development Review South  
613-325-6976, tracey.scaramozzino@ottawa.ca**

**Ward: River (16)**

**Objet : Modification du Règlement de zonage visant les 1058, 1062 et 1066,  
rue Silver**

**Dossier : ACS2022-PIE-PS-0097**

**Rapport au Comité de l'urbanismeComité de l'urbanisme**

**le 25 août 2022**

**et au Conseil le 31 août 2022**

**Soumis le 12 août 2022 par Derrick Moodie, Directeur, Services de planification,  
Direction générale de la planification, des biens immobiliers et du développement  
économique**

**Personne ressource: Tracey Scaramozzino, Urbaniste, Examen des demandes  
d'aménagement sud**

**613-325-6976, tracey.scaramozzino@ottawa.ca**

**Quartier : Rivière (16)**

## **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve a minor amendment to Zoning By-law 2008-250 for 1058, 1062, and 1066 Silver Street for several**

performance standards for a permitted low-rise apartment building, as detailed in Document 2.

2. 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 August 31, 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 d’approuver une modification mineure au Règlement de zonage 2008-250 visant les 1058, 1062 et 1066, rue Silver, afin de permettre l’aménagement d’un immeuble résidentiel de faible hauteur, comme l’expose en détail le document 2.
2. 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 31 août 2022 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

## 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

1058, 1062, 1066 Silver Street

**Owner**

Power-Tek Real Estate Corporation

**Applicant**

Novatech

**Architect**

SJ Lawrence Inc.

**Description of site and surroundings**

The properties are in the Carlington neighbourhood within Ward 16 and includes three lots located at 1058, 1062, and 1066 Silver Street. The three lots are located on the west side of Silver Street and the north side of Summerville Avenue. All properties are currently occupied with a detached dwelling.

The surrounding properties are low-rise residential uses in the forms of townhouses, apartment buildings, semi-detached and detached dwellings.

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

The current zone is Residential Fourth Density, Subzone UC (R4UC) in the City of Ottawa Zoning By-law 2008-250. This zone permits a wide mix of residential building forms up to four storeys in height, including the current proposal.

The proposed development is for a 3-storey, low rise apartment building with 32 dwelling units. Underground bicycle and vehicular parking and garbage storage are accessed off Silver Street. An interior yard amenity space is provided with hard and soft landscaping and two new trees. The building is articulated along Silver Street and Summerville Avenue, each with an entrance, with numerous setbacks and protrusions and two distinct colour pallets to give the impression of two separate buildings. The front yard and corner side yard are comprised of soft landscaping and gardens, in keeping with the character in the area. The minor Zoning By-law amendment application seeks to increase the maximum permitted lot area from 1,070 square metres to 1,580 square metres, to permit two principal entrances to the building, instead of the three that are required, and to remove the requirement for tree planting area in the defined rear yard.

## **DISCUSSION**

### **Public consultation**

A public consultation was held on Wednesday, June 15, 2022 virtually through Zoom.

The local Councillor's office chaired the meeting and five residents attended. The full comments and responses are located in Document 3.

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

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

#### **Current Official Plan**

According to Schedule B of the Official Plan, the property is designated as General Urban Area. This designation permits the development of a wide range of residential and commercial uses, including the proposed low-rise apartment dwelling. The policies state that the building height in the General Urban Area will continue to be predominantly low-rise. Further direction in the Official Plan state that 90% of growth will be distributed throughout the urban area to strengthen the City's liveable communities through infill to support walking, cycling and transit.

#### **New Official Plan**

Under the new Official Plan, the site is within the Inner Urban Transect with a Neighbourhood Overlay. This transect is generally characterized by post-World War II development with a variety of building forms of low-to medium density. Neighbourhood areas are intended to remain low-rise, to a maximum of four-storeys in height and development should enhance an urban form of design, prioritize walking, cycling and transit. Policies 2.2.1 and 2.2.4 promotes the direction of residential growth within the urban area which will support an evolution of these areas towards becoming more complete and healthy 15-minute neighbourhoods. Policy 3.2 supports intensification, noting that 51 per cent of urban growth will occur in the urban area.

### **Other applicable policies and guidelines**

The lands are not subject to any Secondary Plans or Community Design Plans.

The proposed development meets many of the Urban Design Guidelines for Low-Rise Infill Housing such as providing a connection to the street and public realm through the provision of street-level entrances, along with windows, living spaces and balconies facing the streets. One significant City tree will be retained, and additional trees will be

planted to replace those that are removed. The amenity area and the front of both sides of the building are designed with hard and soft landscaping and trees to reflect what is in the area. The flat roof and brick materials are also representatives of the building character in the immediate area, as shown in Document 5.

### **Planning rationale**

The proposal aligns with the applicable Official Plan policies for the General Urban Area, and the Inner Urban Transect, Neighbourhood overlay which encourages intensification in an urban form of low-rise development to support the creation of 15-minute neighbourhoods, that encourage cycling, walking and transit.

The request to increase the maximum lot area 1,070 square metres to 1,580 square metres is considered acceptable, as the increase is minor, and the proposed building has been well articulated to avoid the large, solid massing which would not be a desirable style in this area. The proposed two entrances instead of the required three entrances are also considered acceptable, as they will provide the main entrance on each street frontage to animate both streets.

The request to remove the requirement for tree planting in the rear yard is acceptable in this case, due to the lot fabric, zoning definitions and provisions for this corner property. The front yard is defined along Summerville Avenue and the rear yard is towards the north, abutting the lot at 1280 Dorchester Avenue. The rear yard is required to be 1.2 metres in depth, along with the provision of an interior yard area.

The Zoning By-law, for an R4U zone also requires a rear yard with an aggregated soft landscaped area of 25m<sup>2</sup> for tree planting purposes. This aggregated amount is not possible in this situation due to the orientation of the lot and the required and provided 1.2m rear yard setback. This aggregated amount would be more feasible for an interior lot with a 'traditional rear yard'. The aggregated land for this development is being provided in the interior yard area. The applicant has proposed the planting of two trees in the interior yard area that will function as the amenity space. The intent of the Zoning By-law has therefore been met by ensuring that there is adequate room on the site for at least one tree within land that functions as a rear yard amenity 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 rural implications associated with this report.

## **COMMENTS BY THE WARD COUNCILLOR**

Councillor Brockington provided the following comments:

“I am aware of the zoning by-law amendment and site plan applications and am supportive of the proposed development for 1058, 1062 and 1066 Silver Street.

This residential development will be a good fit in the community, compatible with other nearby built-forms and provide a needed service: housing.”

## **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**

The recommendations documented in this report are consistent with the City’s [Comprehensive Asset Management \(CAM\) Program](#) objectives. The implementation of the Comprehensive Asset Management program enables the City to effectively manage existing and new infrastructure to maximize benefits, reduce risk, and provide safe and reliable levels of service to community users. This is done in a socially, culturally, environmentally, and economically conscious manner.

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 proposed development will be required to meet AODA standards at the building permit process.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Thriving Communities

## **APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D02-02-21-0073) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to significant revisions to the proposal by the applicant.

## **SUPPORTING DOCUMENTATION**

Document 1 Zoning Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Draft Landscape Plan

Document 5 Conceptual Rendering

## **CONCLUSION**

Planning, Real Estate and Economic Development Department staff recommend approval of this application as it meets the policies of the Provincial Policy Statement, and the policies of the current and new Official Plan to encourage sensitive residential intensification. The minor amendment allows for a well-designed building that will be compatible with the community and meets many of the "Low-Rise Residential Infill Guidelines".

## **DISPOSITION**

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Krista O'Brien, Program Manager, Tax Billing & Control, Finance 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, 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](http://geoOttawa)



## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1058, 1062, 1066 Silver Street:

1. Rezone the lands as shown in Document 1
2. Amend Section 239, Urban Exceptions, by adding a new exception XXXX similar in intent to the following:
  - a. In Column II, add the text “R4UC [xxxx]
  - b. In Column V, add the following provisions similar in intent to the following:
    - i. Despite Section 162, the maximum lot area is: 1580 m<sup>2</sup>
    - ii. Subclause 161(15)(b)(iv) does not apply
    - iii. Despite subclause 161(15)(f)(ii), a minimum of one principal entrance must be located along Silver Street and a minimum of one principal entrance must be located along Summerville Avenue.

### **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. One public meeting was also held virtually. Five residents attended the virtual meeting, and six comments were received during the public notification period. The comments and questions are summarized below.

#### Public Comments and Responses

Comment: Will bicycle parking be provided?

Response: Yes, Bicycle parking will be provided as per the Zoning By-law requirements.

Comment: Can the Owner consider adding an additional storey to the building to create more affordable units?

Response: The Owner considered the idea but has chosen to continue with the current proposal.

Comment: A nearby property Owner was concerned about potential damage to their property.

Response: The City has reviewed the associated engineering plans and the proposed works should not negatively impact the abutting properties. It is the Developer's responsibility to ensure that they comply with the approved plans and standard methods of construction.

Comment: Two residents expressed concerns with the potential for on-street parking and increased traffic.

Response: The proposed development is providing more parking than is required in the City of Ottawa Zoning By-law. The amount of traffic anticipated with this development is minor (4 vehicles during each of the peak morning and afternoon hours). Residents were advised to contact the City's Traffic Service Branch if they wanted to have the existing conditions reviewed.

Comment: Concern over garbage and wind-blown litter.

Response: The garbage will be located inside the building which will significantly reduce the amount of garbage that has the potential to be strewn about the neighbourhood.

Comment: Concern over loss of existing trees, requested permission to eliminate the rear yard tree required with the proposed development and a request to ensure decent soft landscaping is provided with the new development.

Response: Two trees along Silver Street are proposed to be removed, however, four new trees will be planted by the Developer along Silver Street. The one large City-Owned tree along Summerville is being retained and two new trees are proposed along Summerville Avenue. Two trees will be planted in the technical 'interior yard area' instead of in the technical 'rear yard'. In addition to the eight new trees, the overall landscape plan proposes 234 shrubs and ornamental grasses, and sod.

Comment: One resident was supportive of more housing being provided.

Response: Noted.



**Document 5 – Conceptual Rendering**

