

**3. Zoning By-law Amendment – 263 Greensway Avenue**

**Modification du Règlement de zonage – 263, avenue Greensway**

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for 263 Greensway Avenue to permit a six-storey apartment building, as detailed in Document 2.**

**RECOMMANDATION DU COMITÉ**

**Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification du *Règlement de zonage* (n° 2008-250) visant le 263, avenue Greensway afin de permettre la construction d'un immeuble d'habitation de six étages, comme l'expose en détail le document 2.**

**Documentation/Documentation**

1. Director's Report, Planning Services, Planning, Infrastructure and Economic Development Department, dated February 25, 2019 (ACS2019-PIE-PS-0014)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'Infrastructure et du développement économique, daté le 25 février 2019 (ACS2019-PIE-PS-0014)

2. Extract of draft Minutes, Planning Committee, April 11, 2019

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 11 avril 2019

3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of May 8, 2019, 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 24, 2019".

Résumé des observations écrites et orales à distribuer séparément avec l'ordre du jour de la réunion du 8 mai 2019 du 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 24 avril 2019 ».

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
11 April 2019 / 11 avril 2019**

**and Council  
et au Conseil  
24 April 2019 / 24 avril 2019**

**Submitted on 25 February 2019  
Soumis le 25 février 2019**

**Submitted by  
Soumis par:**

**Lee Ann Snedden  
Director / Directrice**

**Planning Services / Services de la planification**

**Planning, Infrastructure and Economic Development Department / Direction  
générale de la planification, de l'infrastructure et du développement économique**

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**Ward: RIDEAU-VANIER (12)**

**File Number: ACS2019-PIE-PS-0014**

**SUBJECT: Zoning By-law Amendment – 263 Greensway Avenue**

**OBJET: Modification du Règlement de zonage – 263, avenue Greensway**

#### **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 263 Greensway Avenue to permit a six-storey 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 City Clerk and Solicitor's Office 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 on April 24, 2019," 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 du *Règlement de zonage* (n° 2008-250) visant le 263, avenue Greensway afin de permettre la construction d'un immeuble d'habitation de six étages, 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 de l'avocat général 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 24 avril 2019 », 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

263 Greensway Avenue

**Owner**

Manor Park Management Inc. c/o Anand Aggarwal

**Applicant**

Dennis Jacobs – Momentum Planning & Communications

**Architect**

Project1Studio – Ryan Koolwine

**Description of site and surroundings**

The subject site is located in the Kingsview Park neighbourhood near the northwest corner of Montreal Road and Vanier Parkway, where Mark Avenue meets Greensway Avenue, in Ward 12 (Rideau-Vanier).

The 4,523 square metre site is an irregular shaped lot with approximately 46 metres of frontage on Greenway Avenue. Currently existing on site is a two-storey apartment building containing nine dwelling units (addressed 267 Greensway Avenue), and a large surface parking lot to the rear with 112 parking spaces. The existing apartment building at the front of the site is consistent with the apartments located along majority of Mark Avenue.

The surrounding area consists of single-detached housing to the north, and a mix of low-rise, predominantly apartment buildings, to the west along Mark Avenue, Vanier Parkway to the east, and low-rise commercial buildings that form part of a Traditional Mainstreet Zone along Montreal Road to the south.

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

The proposed development on site is for a new six-storey apartment building containing 77 dwelling units. The development is oriented towards the portion of the site fronting Vanier Parkway and replaces the majority of the existing surface parking lot.

Details of the proposal also include an underground parking garage with 70 spaces, new landscaping around the perimeter of the site, an active entrance and walkways connecting to the sidewalk along Vanier Parkway, dwelling units at grade internal to the site and facing Vanier Parkway, as well as preserving space along the southern property line for a potential Multi-Use Pathway relating to the Montreal Road

Revitalization Project. Proposal images, including the Site Plan, are included in Document 4.

The property is currently zoned Residential Fourth Density, Subzone O (R4O), which permits a range of residential uses from detached dwellings to low-rise apartments with building heights of up to 11.0 metres. The site is also subject to the Kingsview Park area-specific provisions as per the flood plain overlay.

The Zoning By-law amendment application seeks to rezone the property to a Residential Fifth Density (R5) Zone to allow the six-storey mid-rise apartment building. The application also requested that provided parking be permitted for use by residents on Mark Avenue. The effect of the recommended rezoning, despite the "R5" zone, splits permissions respective to the front of the site, where the existing building is located, and the rear of the site for the proposed development. The intent is to avoid having a height increase apply across the entire property, as well as ensuring consistency with the Rideau Valley Conservation Authority regulations.

Details of the rezoning generally includes the following:

- Rezone the property to Residential Fifth Density Zone, Subzone B (R5B), with a new Urban Exception [xxxx], and Schedule 'Syyy'.
- Urban Exception [xxxx] includes provisions addressing the following:
  - Total parking, not including visitor parking, is limited to a maximum of 85 spaces.
  - Add Parking Lot as an additionally permitted use, and a provision noting that a parking lot is limited to provided parking spaces (in excess of spaces required) and may only be used by residents of 263 Greensway Avenue, or used by other users specific to the lots municipally known as 20 Mark Avenue and 29 Mark Avenue. For clarity, this includes all the existing buildings, addressed as 20, 29, 30, 39, 40, 49, 50, 59, 60, 69, 70, and 80 Mark Avenue. The proposed apartment at 20 Mark Avenue (zoning D02-02-18-0073) would be included as well.
  - To permit a minimum setback of 0.5 metres from a private way (driveway) in a Planned Unit Development, whereas a minimum of 1.8 metres is required.

- Minimum required yard setbacks and maximum permitted building heights are subject to the new Schedule 'Syyy'.
- Schedule 'yyy' regulates minimum yard setbacks and maximum building height, which as a result, also limits the maximum gross floor area in accordance with Conservation Authority regulations.

## **DISCUSSION**

### **Public consultation**

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

During the application review process, a community information session was held by the applicant on November 29, 2018. The meeting also presented the proposed development from 20 Mark Avenue, and approximately 35 individuals attended. Majority of the discussion was focused on the 263 Greensway Avenue proposal, as well as the proposed parking arrangement amongst the properties. The applicant presented an overview of the respective proposals followed by a question and answer period. Staff attended the meeting to field questions on process and next steps. Councillor Fleury and a representative from the Rideau Valley Conservation Authority were also in attendance.

During the application review process, approximately 30 individuals/groups commented on the proposed development. Majority of the comments expressed opposition to the proposal and flagged concerns such as traffic congestion/safety, parking, spot zoning and the intent of keeping to four storeys, as well as flood plain and neighbourhood infrastructure. Three comments were submitted in support of the proposal.

For this proposal's consultation details, see Document 5 of this report.

### **Official Plan designation**

According to schedule B of the Official Plan, the property is designated as General Urban Area.

#### **Section 3.6.1 – General Urban Area**

This designation permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances. Residential intensification

through infill will relate to the existing character to enhance desirable patterns and built form while also achieving a balance of housing types and tenures.

### **Other applicable policies**

#### **Section 2.2.2 – Managing Growth Within the Urban Area**

Directs where growth will occur within Ottawa. Policies within this section support the opportunity for intensification within the General Urban Area and recognises that such areas will continue to mature and evolve through intensification and infill, but at a scale contingent on proximity to major roads and transit, and the area's planned function. Consideration of the character in the surrounding community is a factor in determining compatibility within a community. Growth will be directed where services already exist, and infill and redevelopment will be compatible with the existing context or planned function of the area. All intensification will occur in accordance with the provisions of Section 2.5.1 and 4.11, dealing with matters of urban design and compatibility.

#### **Section 2.5.1 – Urban Design and Compatibility**

Tools and design objectives for new development are provided in Section 2.5.1 to guide compatibility and a high quality of design. These design objectives include enhancing the sense of community; defining quality public and private spaces through development; ensuring that new development respects the character of existing areas; and considering the adaptability and diversity of places that can adapt and evolve easily over time.

#### **Section 4.8.1 – Flood Plains**

The purpose of these policies is to reduce the potential for public cost or risk of injury, loss of life, property damage, and economic and social disruption, which may result directly or indirectly from development and other activities in flood plains. The policies also recognize the significant role that flood plains play in support of natural drainage systems. The overall intent is to limit development within the flood plain. The subject site is located in a Two-Zone Flood Plain Policy Area as designated on Schedule K. In these areas, the flood plain is divided into two zones: a floodway and a flood fringe. The use of the two-zone concept may allow for some new development within the identified flood fringe areas of the flood plain that can be safely developed with no adverse impacts.



## Section 4.11 – Urban Design and Compatibility

New development is reviewed and evaluated using the policies of Section 4.11, which address urban design and compatibility. These aspects of urban design and compatibility include building profile and height, potential impacts, building transitions, and intensification within established neighbourhoods. The purpose of reviewing these design aspects is to ensure that new development is sensitive and compatible to the existing context while providing appropriate transitions between densities and land uses.

### **Planning rationale**

#### Official Plan Policies

This application has been reviewed under the consolidated Official Plan (2003), and with regard for the amendments of Official Plan Amendment 150 (OPA 150).

With respect to the General Urban Area (3.6.1) designation, OPA 150 provides for more specific policy direction on building heights. Building heights will continue to be predominantly low-rise (up to 4-storeys), and development will be evaluated against compatibility with the existing context and planned function of the area. Taller buildings may be considered for sites that are in an area already characterised by taller buildings. Previous policy in effect placed a greater reliance on Sections 2.5.1 and 4.11 for taller buildings.

Due to the site context, and where the proposed building is situated on the subject site, the development will contribute and relate to the intersection of Montreal Road and the Vanier Parkway. This context is unique compared to the balance of residential neighbourhood in Kingsview Park. Montreal Road is a Traditional Mainstreet and the area is characterized by existing zoning surrounding this intersection with permitted building heights ranging from six to nine storeys. Furthermore, the Montreal Road Secondary Plan contemplates building heights up to seven storeys on the abutting properties fronting Montreal Road. The proposed six-storey building conforms to the General Area Designation, including OPA 150, where taller buildings are considered.

In accordance with Sections 2.5.1 and 4.11, the proposed development encourages the redevelopment of a large surface parking lot and responds well to the existing character. The proposal adds a significant amount of landscaping to the site, and the building provides ample setbacks that are consistent with current zoning regulations and

allow for a compatible relationship with abutting properties. The six-storey building achieves transition in relation to the both the Montreal Road mainstreet planned function and the existing stable residential neighbourhood to the north. The building design incorporates stepbacks after the second storey, and the north end of the building in closest proximity to the abutting residential zone reduces the height to a two-storey built form with the upper storeys stepped back an additional 7.0 metres.

Active entrances and landscaping are incorporated into the design along the Vanier Parkway frontage, with parking internalized to the site and within an underground garage. The site design has the potential of accommodating a new Multi-Use Pathway (MUP) along the southern property line as a result of the Montreal Road Revitalization Project. The ultimate use of this space will be determined through Site Plan Control, and should the MUP not be approved prior to Site Plan approval, the space will be reviewed for landscaping or other appropriate uses. For clarity, the potential land parcel associated with the MUP has been shown in the proposed Schedule 'yyy' (Document 3) to avoid any zoning issues depending on land ownership.

In accordance with Section 4.8.1 (Flood Plains) and the Two-Zone Flood Plain policies, the proposed development and site alteration has been designed with the appropriate measures to ensure conformity with floodproofing standards, protection works standards, and access standards to the satisfaction of the City, as well as the Rideau Valley Conservation Authority. Some development is permitted in the Kingsview area-specific control area, and one test, for example, is ensuring that the land remains the same in accordance with the underlying municipal land use designation (zoning). In this context, intensification beyond what is currently permitted will not be supported by the Conservation Authority. Although the report recommendation amends the zoning from an "R4" zone to an "R5" zone with an increase in building height, the new Urban Exception [xxxx] and Schedule "yyy" limit development on the site. This zoning strategy maintains what is currently existing/permitted at the front of the site, and zoning specific to the proposed development at the rear of the site. The resulting zoning represents approximately 60 percent of the gross floor area compared to what is currently permitted by the R40 zoning. Some limited further development may be permitted within the recommended zoning, but maintains a consistent approach, through zoning, to prevent any further intensification in the floodplain; especially compared to what could be built in compliance with the R40 zone.

Additionally, the garage entrance has been designed so that access is above the 1:100 year floodplain elevation, and the building design incorporates floodproofing measures that will be enforced through Site Plan Control.

The recommended zoning does not represent further intensification than the existing underlying zoning (R40) in accordance with the Rideau Valley Conservation Authority regulations, and Site Plan Control will ensure that the appropriate floodproofing measures are met.

The proposed development conforms with the Official Plan.

#### Proposed Zoning Details

As detailed in Document 2, the proposed Zoning By-law amendment will rezone the site to an R5B zone with a site-specific Urban Exception [xxxx] and Schedule 'Syyy' for various performance standards. The following summarizes the planning rationale for the amendments.

- The proposed development with 77 dwelling units, along with the existing building containing nine dwellings, requires a total of 33 parking spaces, plus seven visitor. The purpose of limiting parking to a maximum of 85 parking spaces is to ensure that the balance of the site remains landscaped as shown on the submitted Site Plan and to put a level of control into the amount of provided parking (beyond those spaces required) that can be used for lease by the Mark Avenue apartments. Adding this provision provides certainty on the potential parking arrangement between the properties.
- Adding 'Parking Lot' as an additionally permitted use and specifically defining it for the purpose of providing parking for residents at 263 Greensway Avenue and the Mark Avenue apartments controls how parking can be used, which in effect will not create a commercial parking lot. Any lease of parking to individuals beyond these defined properties would remain prohibited. Furthermore, some Mark Avenue residents expressed an interest in maintaining the ability to access the proposed parking. Collectively, the Mark Avenue buildings (existing and proposed) and development at 263 Greensway results in 208 dwelling units, and 124 residential parking spaces; the department views this as an appropriate parking ratio (0.59 spaces per unit) and the location provides for convenient and safe access to parking.

- The zoning provisions for the minimum setback from a private way formalizes the existing situation with the current building onsite, but is required since the new development triggers this provision, which only applies to Planned Unit Developments. Staff reviewed the driveway and private way location and anticipate no adverse impacts.
- The minimum yard setbacks proposed in Schedule 'yyy' are consistent with the current permissions of the R40 zone, and in fact reduce the overall building envelope permitted on site compared to current permissions. The Schedule also ensures the building setbacks after the second storey of the proposed building and that transition to the residential properties to the north are maintained.

### **Provincial Policy Statement**

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014.

### **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

### **COMMENTS BY THE WARD COUNCILLOR**

Councillor Fleury provided the following comments:

“I'm pleased that the garbage storage of 263 Greensway will be internal. It's important to have a wide array of one-three bedroom rental units available in our community, which this developments encompasses.

There will be further discussion on the multi-use pathway through site plan control. Additionally, through site plan control, I wish to ensure the parking arrangement does not result in a commercial parking lot. Finally, I would like to see additional greening and appropriate lighting.”

### **LEGAL IMPLICATIONS**

In accordance with Bill 139, if the proposed zoning by-law is adopted, it can only be appealed on the basis of inconsistency with the Provincial Policy Statement or lack of conformity with the official plan. Were the zoning by-law appealed, the preparation of the necessary documentation for the Local Planning Appeal Tribunal and the making of submissions to the Tribunal could be done within staff resources.

If the zoning amendment is refused, reasons must be provided. For an appeal of a refusal of a zoning application to succeed, the appellant must first show that the existing zoning is inconsistent with the Provincial Policy Statement and/or does not conform to the Official Plan. Due to the limited timeframes now associated with Local Planning Appeal Tribunal matters, the City Clerk and Solicitor Department would seek to retain an external planner to provide an affidavit in support of the refusal for the initial Tribunal review of the item should an appeal of the refusal be forthcoming.

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk implications.

### **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with the recommendations of this report.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications associated with the approval of the zoning amendment. In the event the zoning amendment is refused and appealed, an external planner would be retained. This expense would be absorbed from within Planning, Infrastructure and Economic Development's operating budget.

### **ACCESSIBILITY IMPACTS**

The accessibility advisory committee was circulated during the application review process and noted that an insufficient amount of handicap parking to serve residents of visitors was supplied. Revisions were made to include accessible parking and will be included in the Site Plan approval. No further accessibility impacts were identified.

### **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priority:

- EP2 – Support growth of local economy.

### **APPLICATION PROCESS TIMELINE STATUS**

This application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to coordinating the report to be on the same agenda as 20 Mark Avenue.

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Schedule yy

Document 4 Proposal Concept

Document 5 Consultation Details

## **CONCLUSION**

The Planning, Infrastructure and Economic Development Department supports the application and proposed Zoning By-law amendments. The proposed development is a good example of infill and intensification within the General Urban Area. The site context is appropriate for a six-storey building and compatibility with both the existing context and planned function has been achieved through building height transition and stepbacks, generous setbacks with landscaping and open spaces, and a site design that is functional demonstrating an efficient use of land and existing resources. The proposed building incorporates floodproofing standards to the satisfaction of the City and Rideau Valley Conservation Authority. The development fits well in its context and the requested amendments conform with the Official Plan and are consistent with the Provincial Policy Statement.

## **DISPOSITION**

Legislative Services, Office of the City Clerk and Solicitor 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.

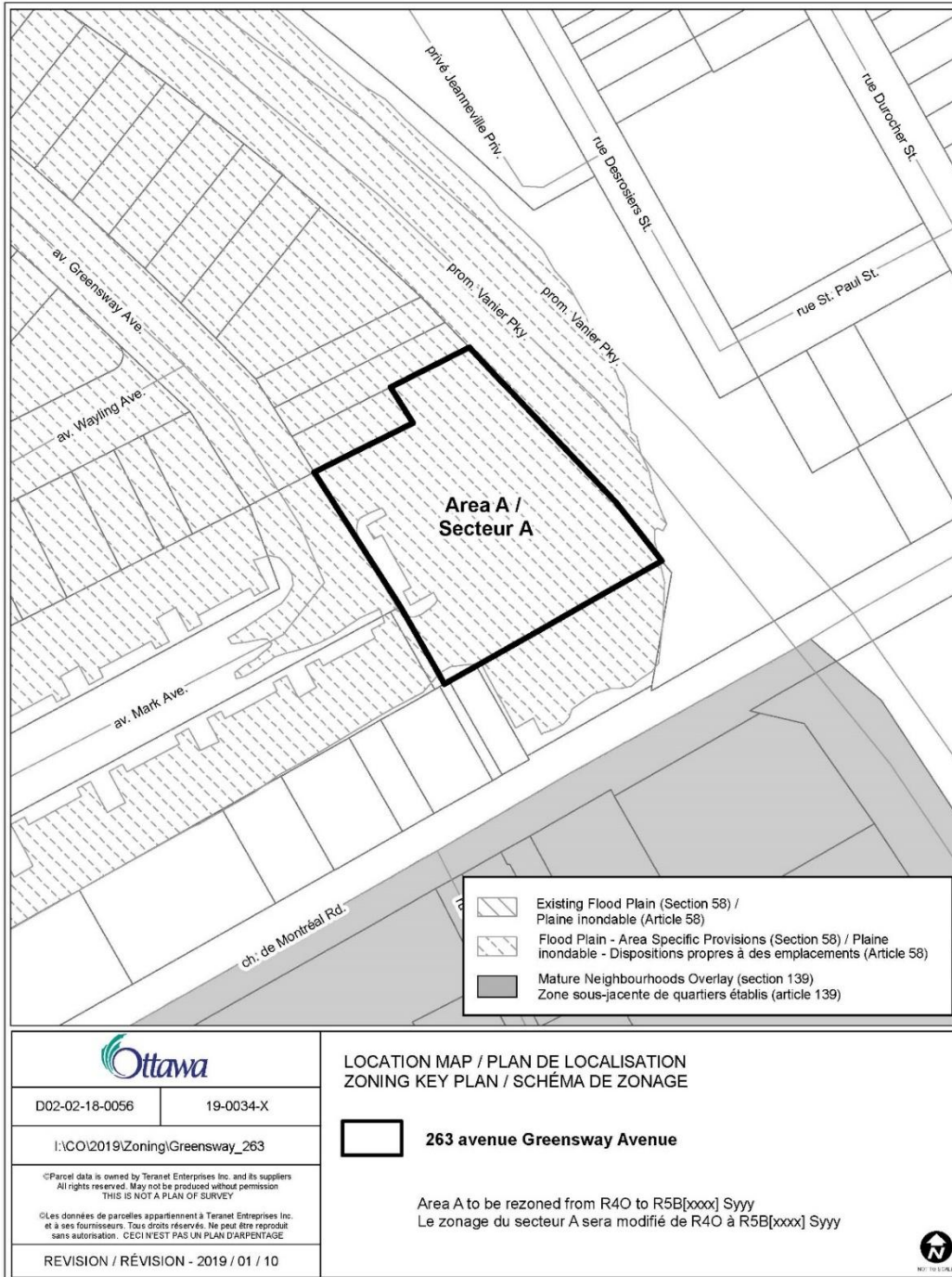
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

Legal Services, Office of the City Clerk and Solicitor 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)



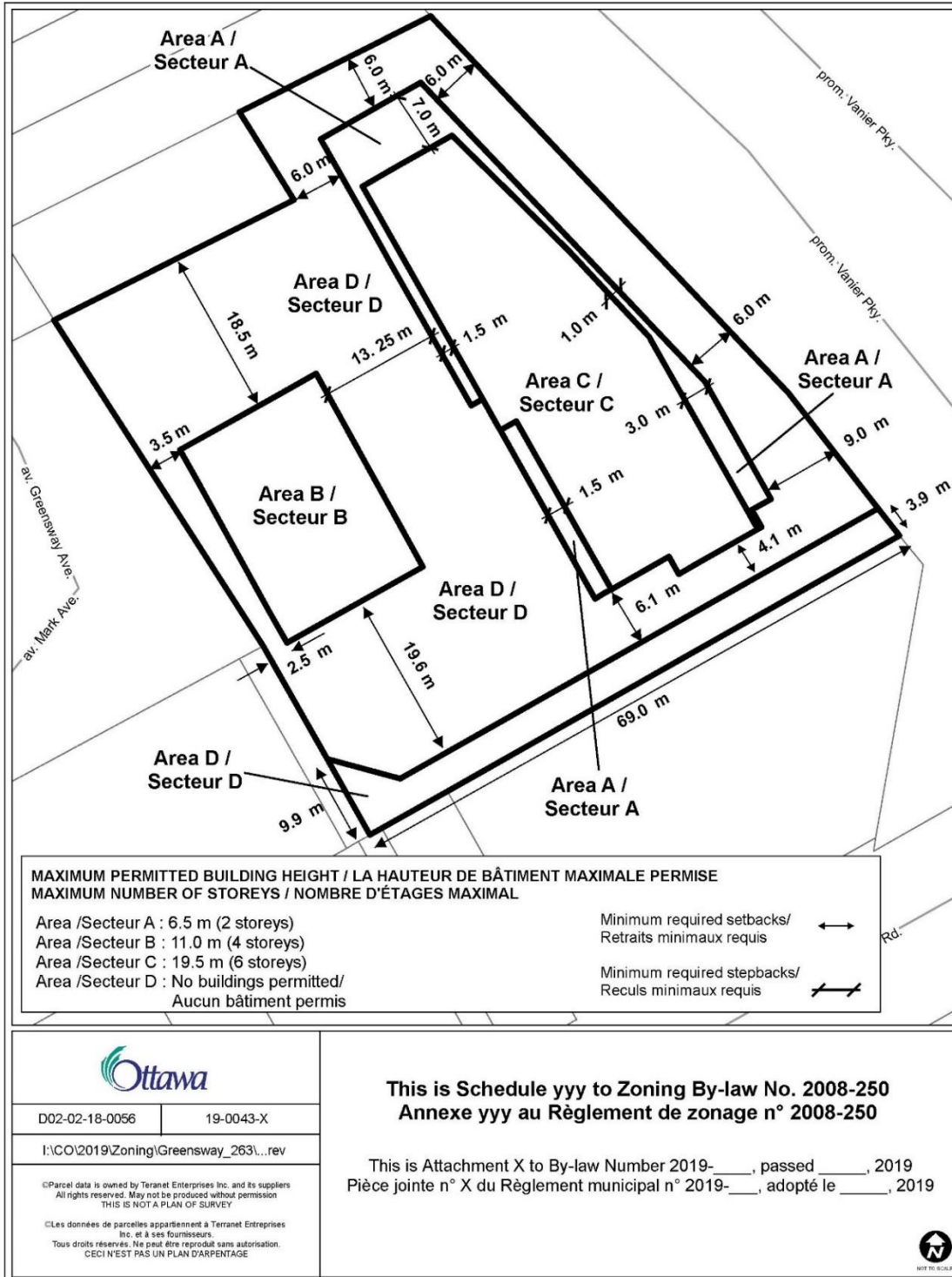
## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 263 Greensway Avenue is as follows:

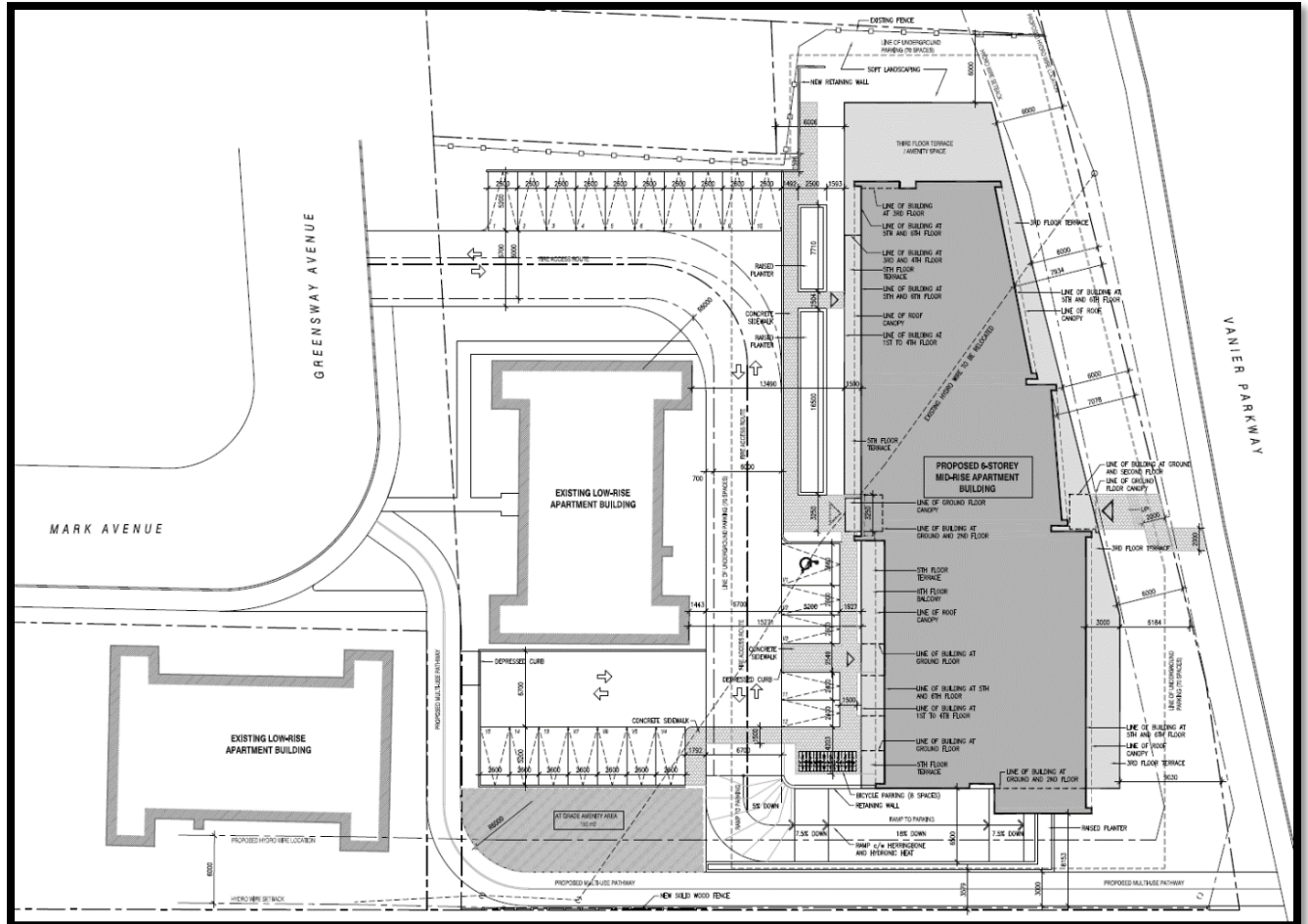
1. Rezone the lands from R4O to R5B [xxxx] Syyy, as shown in Document 1.
2. Amend Part 17, by adding a new Schedule “yyy”, as shown in Document 3.
3. Amend Section 239, by adding a new exception [xxxx] with provisions similar in effect to the following:
  - a. In Column III, add Parking Lot as an additionally permitted use.
  - b. In Column V, add provisions similar in effect to the following:
    - i. Total number of parking spaces, not including visitor parking, is limited to a maximum of 85 spaces;
    - ii. Parking Lot, as a use, is limited to provided parking spaces only (those spaces not otherwise required), and may only be used by residents from a residential use building located on the lots municipally known as 263 Greensway Avenue, 20 Mark Avenue and 29 Mark Avenue.
    - iii. Despite Table 131(2) the minimum setback for any wall of a residential use building to a private way is 0.5 metres
    - iv. Minimum required yard setbacks and maximum permitted building heights as per Schedule ‘yyy’.



Document 3 – Schedule yyy



Document 4 – Proposal Concept



Site Plan Excerpt





View from Vanier Parkway

View from internal to the site



## **Document 5 – Consultation Details**

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

During the application review process, a community information session was held by the applicant on November 29, 2018. The meeting also presented the proposed development from 20 Mark Avenue, and approximately 35 individuals attended. Majority of the discussion was focused on the 263 Greensway Avenue proposal, as well as the proposed parking arrangement amongst the properties. The applicant presented an overview of the respective proposals followed by a question and answer period. Staff attended the meeting to field questions on process and next steps. Councillor Fleury and a representative from the Rideau Valley Conservation Authority were also in attendance.

During the application review process, approximately 30 individuals/groups commented on the proposed development. Majority of the comments expressed opposition to the proposal and flagged concerns such as traffic congestion/safety, parking, spot zoning and the intent of keeping to four storeys, as well as flood plain and neighbourhood infrastructure. Three comments were submitted in support of the proposal.

The following summarizes, in no particular order, a list of comment topics/items raised by various members of the public in response to the application:

### **Spot Zoning and Building Height**

Comments summary:

- Concerns about area being zoned “R4” and raising height to 6-storeys building uncharacteristic of the neighbourhood and causing issues such as sun shadowing, being too tall, and property value depreciation.
- The goals of intensification and infill can be met with the current “R4” zoning, and development of 4-storeys or less would be more reasonable and result in less parking and traffic.
- The development will set a precedent for the neighbourhood and serve as a means to redevelop the rest of Mark Avenue. Current zoning should be maintained.

- A six-storey building next to adjacent properties with only 6.0 metres is an inappropriate massing.
- The same request of increased density and height will happen at a later date for the front of the site, and the oversupply of parking explains this.
- With other approvals in the area like 112 Montreal and Eastview shopping, hundreds of new housing units in a confined area will have negative impacts.
- The proposal significantly disrupts the established pattern and character of Kingsview Park.
- Rezoning to “R5” will set a precedent that would greatly intensify traffic in the neighbourhood.
- The City of Ottawa has not demonstrated previous thinking of rezoning this neighbourhood to meet mixed-use housing or Montreal Road development plan.

Response:

The proposed development, although rezoning from an “R4” to an “R5” zone, represents a good example of density redistribution based on the site context and its surroundings. The proposed development and recommended zoning actually represents a building envelope that is about 60% of what could be developed under the current zoning. Therefore, the degree of intensification is consistent within the existing context.

This is further elaborated in the staff report, but it is important to note the site and proposed developments relationship situated between the existing stable residential neighbourhood of Kingsview Park and the Traditional Mainstreet at the intersection of Montreal Road and Vanier Parkway. A six-storey building is characteristic of this intersection by virtue of the existing zoning and planned function recognized in the Montreal Road Secondary Plan. Building design, setbacks and stepbacks have been done in a manner to achieve compatibility with the neighbouring residential area, by providing consistent setbacks characteristic of the area and yard relationships, and by reducing the building height to two-storeys at the northern end providing transition. There are no adverse impacts from sun shadowing, as demonstrated by the submitted sun shadow study, and there is no evidence that this type of development decreases property values.

The proposal development will not set a precedent as each development proposal is reviewed on its own merit. The unique site context and location of the proposed building contributed to the recommended approval. The same rationale cannot apply as a broad stroke for the balance of the neighbourhood.

### **Traffic / Transportation**

Comments summary:

- Montreal Road and North River Road is the only point of vehicular egress and access for the neighbourhood. Adding more vehicles and traffic is critical; it will not work.
- Mark Avenue will see a major increase in traffic.
- More traffic cutting down Wayling Avenue is unacceptable, and it is known that some residents of Mark Avenue and Greensway Avenue are using Wayling Avenue.
- Many concerns expressed regarding the Transportation Report including outdated data, unrealistic forecasts given winter condition surveys, and lack of coordination with other area approvals and the Montreal Road Revitalization Project. Further concerns include the assessment of North River/Montreal and peak hour results, poor sightlines, and congestion. The anticipated volumes from the development appear overly low.
- Adding more vehicles on Mark Avenue will create conflict with the proposed cycle route.
- Increased traffic and pollution is a danger to pedestrians and cyclists.
- Seasonal factors were not considered in the transportation assessment. There is an extremely busy bicycle path on this intersection (Montreal / N. River) and that there is an abnormal concentration of pedestrians and bicycles traffic when compared to a "normal" intersection.
- Traffic impacts seem underestimated. Traffic problems have been noted in the Montreal Revitalisation plan and current issues already exist between Vanier and the Cummings Bridge. Why would anybody want to increase traffic in that section.

Response:

A Transportation Study was submitted in support of the application, and for the purpose of rezoning staff have no transportation concerns. While it is acknowledged that traffic volumes will increase as a result of the proposed development, the additional volumes fall within the allotted capacity of the local road network. Furthermore, the City-initiated Montreal Road Revitalization Project is an active process reviewing the functional redesign of Montreal Road, including the intersection of North River Road and Montreal Road. During peak hours traffic is a challenge at this intersection, but good planning looks at all modes of transportation and aims to achieve the best possible results. Safety is a primary objective, especially for pedestrians and cyclists. The vehicular traffic anticipated from the proposed development is expected to have a negligible impact, and pedestrians, cyclist and transit users will have excellent connectivity and access.

Through Site Plan Control, further updates to the Transportation Study may be required to ensure the final report is complete in accordance with the Transportation Impact Assessment Guidelines, but given the review to date, there are no major issues that would affect the recommended rezoning.

## **Parking**

Comments summary:

- 144 Parking spaces proposed is excessive, will result in a commercial parking lot, and contradicts the goal of promoting active transportation.
- Doubling the amount of parking required and way more than the number of units proposed should be not be accepted.
- There is no justification for all the extra parking.
- Two levels of underground parking is unwarranted and will result in other issues such as the need for blasting during construction, or creating unnecessary traffic volumes. Renters will have excellent access to public transit.
- Any rezoning change should note that there is no possibility to rent parking to people who are not tenants.

- Current tenants (both sides of Mark and Greensway) should have their own parking space at 263 Greensway, including units in the proposed development at 20 Mark.
- Current parking holders at 20 Mark should have parking space transferred to 263 Greensway at no extra cost.
- The parking seems to meet the criteria of a parking structure that would normally require a licence to serve people who do not reside at 263 Greensway Avenue. A public parking garage should not be considered in a residential community. Placing one in a residential building does not make it any more acceptable.

**Response:**

After the initial application circulation, the applicant submitted a “Parking Rationale” in response to questions and concerns around the additional parking proposed, which at the time had a total of 144 parking spaces proposed. The rationale provided clarity about the intent to lease additional parking spaces to residents in the Mark Avenue buildings. Following the November 29, 2018 information session, where more concerns were raised about parking, the applicant revised the proposal to remove the second level of underground parking, reducing the total parking to 92 spaces.

The recommended zoning has been written in a manner that does not allow a commercial/public parking lot, but does allow for the provided parking to be accessible for use by the residents of the subject site or the said Mark Avenue buildings. The zoning by-law does not have a maximum parking rate that applies to this site, but the recommended zoning applies a maximum to ensure certainty about how parking may operate on this site. Even though the parking has been set up to allow for use by the Mark Avenue apartments, by comparison the proposed development has 86 dwelling units (existing building plus proposed) and a total of 85 residential spaces are proposed. A parking ratio of 1:1 is not unreasonable in the context, and the effect is lessened when you look at the apartment on Mark Avenue and this site collectively. Providing a safe and convenient off-street parking space for local residents is not anticipated to have any negative impacts. Conditions through Site Plan Control will be further explored to reinforce what the recommended zoning allows.



## **Flood Plan / Neighbourhood Infrastructure**

Comments summary:

- How is underground parking proposed in a Flood Plain?
- Other developments in the neighbourhood had to respect flood plain provisions and raise their homes to extraordinary heights or forego a basement, or invest in floodproofing. How is new development addressing this issue? Should be subject to same level of scrutiny as other developments.
- The proposal does not seem to account for being in flood plain with the inclusion of underground parking, and electrical vault and room in the building where flooding could occur.
- Lots of concerns were raised about the existing infrastructure in the neighbourhood, with recent basement “backups” and a history of capacity issues. Adding more demand on the existing infrastructure will further exacerbate the problem.

Response:

The proposed building conforms with the Official Plan policies dealing with matters subject to area-specific flood plain regulations as explained with the staff report. Furthermore, through Site Plan Control and working with the Rideau Valley Conservation Authority, approval will be subject to conditions that includes the implementation of floodproofing measures, construction inspections for floodproofing items, and erosion and sediment control confirmation.

With respect to the existing infrastructure in the neighbourhood, staff further evaluated this after the November 29 Information Session, and noted the following. From a sanitary perspective, this parcel actually drains to a sanitary on Mark Avenue and not on Greensway Avenue. The homes that flooded in the past are further north on Greensway Avenue and will not be impacted by any additional sanitary flow from the proposed development. Flooding in this area is due to high extraneous flows in the sanitary system during wet weather events. When a site redevelops, we remove the foundation drain connection to the sanitary system, which removes some extraneous flow. For this site, we would be removing about 1 l/s during a critical event, so if the

future flow from the site is similar or less, it may well be that there would be no increase in flow.

The storm system is partially separated system, which means that homes are not connected to it. Furthermore, Stormwater management will be required, therefore the storm flow from the property will be less than existing. Storm drainage will have no impact on local flooding.

Lastly, the Rideau River Collector affected this area in the past. Since 2004, the City has undertaken measures to alleviate the hydraulic grade line along the collector such as twinning of the collector and the Sandy hill tank for example.

### **Other Concerns**

Comments:

Will this apartment building include affordable housing? We have always been a diverse neighbourhood, and it would be disappointing if residents being displaced have no affordable housing to turn to.

Concerned by the request to re-zone and build a six-storey "luxury" apartment. The rents will be much higher than the current older buildings on Mark.

Response:

The applicant advises that the proposed development will be a rental building. Rental buildings do offer a means of an affordable housing option in the general sense, but this development is otherwise not required to provide affordable housing. Rental rates will be dictated by the market, which goes beyond the purview of a planning application.

Comment:

Underground drilling will cause water problems, damage to existing properties. The proposed two levels of underground parking may result in the need to excavate and blast into bedrock. There could then be vibrations affecting our property. If the developer is to proceed with this, we will need written assurance from some responsible entities about what happens if our property is damaged by the construction that will occur.

Response:

A Geotechnical Investigation was submitted in support of the applications, and review of this submission notes there are no potential impacts on surrounding properties. Furthermore, Site Plan approval will contain conditions with respect to blasting. All construction activity shall be done in accordance with any City of Ottawa approvals and regulations. Individuals that raised concerns about potential property damage and construction activity were communicated with regularly between both the City staff and the applicant and owner.

## COMMUNITY ORGANIZATION COMMENTS AND RESPONSES

### **Vanier Community Association**

The Vanier Community Association (VCAs) was actively involved in the review process regarding this proposal.

Through various discussions during the review process the VCA submitted concerns with respect to traffic, parking, spot zoning, building height, and site development concerns such as the proposed MUP and landscaping treatments, similar to those concerns noted above in the comments. Following the latest proposal update in January, the following was conveyed to staff:

“We welcome of course the elimination of the second level of the underground garage, the unsuitability of which evidently became all the more obvious to all concerned during the consultation meeting.

For the community, the key issue of spot zoning of 263 Greensway remains. More recent proposals from the Montreal Road Revitalization Project are causes for related concern, particularly for the Kingsview Park neighbourhood, given the potential traffic impacts. Similarly, issues remain about cycling infrastructure west of the Vanier Parkway. Again, the proposal for a cycling right of way via 263 Greensway raises concerns, including its impact on pedestrian/cyclist safety at North River Road. The project team's acknowledgement that there is little that can be done to address capacity problems at the MUP cornering Montreal Road and North River has reinforced community concerns about poor planning in this instance.

On the MUP, what is significant to us from the site plan point of view is that if the MUP does go through this opens greater uncontrolled access to the property from the Parkway and raises issues related to management of the frequent criminal activity in the

immediate vicinity. As a minor example, I have heard planning staff recommend no outside bicycle racks for overnight use in such situations. Much better to increase the amenity space especially to provide play area for tenants' children.”

Response:

Staff thank the VCA for their involvement and feedback during the application review process. Concerns expressed about the original excess parking helped contribute to the revision resulting in the revised proposal that removed the second level of underground parking. The reasons for support are outlined in the staff report and in response to the similar comment topics above. Following the outcome of the rezoning, the Site Plan application will confirm additional site development items such as the use of the “MUP” area, and final landscaping treatment around the site.