

6. Zoning By-law Amendment – 87 Stirling Avenue

Modification au Règlement de zonage – 87, avenue Stirling

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 87 Stirling Avenue to permit a three-storey low-rise apartment dwelling with seven dwelling units, as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant le 87, avenue Stirling, afin de permettre la construction d'un immeuble d'habitation de trois étages et comptant sept logements, comme l'expose en détail le document 2

Documentation/Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated November 14, 2019 (ACS2019-PIE-PS-0125)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 14 novembre 2019 (ACS2019-PIE-PS-0125)
2. Extract of draft Minutes, Planning Committee, November 28, 2019

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 28 novembre 2019

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
28 November 2019 / 28 novembre 2019**

**and Council
et au Conseil
11 December 2019 / 11 décembre 2019**

**Submitted on 14 November 2019
Soumis le 14 novembre 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: KITCHISSIPPI (15)

File Number: ACS2019-PIE-PS-0125

SUBJECT: Zoning By-law Amendment – 87 Stirling Avenue

OBJET: Modification au Règlement de zonage – 87, avenue Stirling

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 87 Stirling Avenue to permit a three-storey low-**

rise apartment dwelling with seven dwelling units, 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 December 11, 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 au Règlement de zonage 2008-250 visant le 87, avenue Stirling, afin de permettre la construction d'un immeuble d'habitation de trois étages et comptant sept logements, 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 11 décembre 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.

EXECUTIVE SUMMARY

Assumption and Analysis

The recommendation of this report is to approve a Zoning By-law amendment application for 87 Stirling Avenue. The applications will permit a seven unit three-storey low-rise apartment building. The rezoning proposes to retain the existing R4 (Residential Fourth Density) zone and add a new exception. The proposed exception

will permit seven dwelling units (where a maximum of four are currently permitted), reduce the lot area, increase the minimum front yard setback, reduce the minimum southern interior side yard setback, reduce the amenity area, and permit rear yard projections.

The site is currently occupied by a duplex building. The redevelopment seeks to retain a portion of the existing building on-site and provide an extension in height and in length of the building. The owner has begun to renovate the building on-site in accordance with a permit for an extension to the existing duplex use. Through this rezoning application, the owner has identified their intent to convert the constructed duplex use (with the extension) into the proposed low-rise apartment dwelling use.

Planning Services discourages the approach that was taken on this redevelopment. As a result of a lack of transparency, a building permit for one use was issued, followed shortly thereafter by an application with the intent to redevelop the site as a different use. This order of applications, however, is permitted by the *Planning Act*. Receiving a building permit for a different use also does not preclude the necessity for changes to take place as a result of comments generated through the rezoning and Site Plan Control process.

While staff have concerns with the approach the owner took to redevelop this site, the Zoning By-law Amendment application itself facilitates appropriate infill development and is supported by Planning Services. The rezoning will allow for a low-rise residential infill development that is compatible and builds upon the established patterns and built form. The application was reviewed under the *Planning Act* and Provincial Policy Statement, the Official Plan (2003) and Official Plan Amendment 150 (OPA 150), the Scott Street Secondary Plan and Community Design Plan, the Mature Neighbourhood Overlay, and the Urban Design Guidelines for Low-Rise Residential Infill. Staff are of the opinion the proposed amendments are appropriate for the site and recommends Council approval.

Public Consultation/Input

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. Throughout the application process, approximately 13 members of the public provided comments. During the application review process, the applicant and Councillor Leiper hosted a community information session on Wednesday July 10, 2019

at the Hintonburg Community Centre. The public's input focused primarily on the design of the building and the approach that the owner took to redevelop the site. The comments are detailed in Document 4 – Consultation Details.

RÉSUMÉ

Hypothèse et analyse

Le présent rapport recommande d'approuver une demande de modification au Règlement de zonage visant le 87, avenue Stirling. Cette demande permettra la construction d'un immeuble d'habitation de trois étages et comptant sept logements. La modification de zonage consisterait à ajouter une nouvelle exception à la désignation R4 actuelle (Zone résidentielle de densité 4). L'exception proposée permettra la construction de sept logements (alors que quatre au maximum sont actuellement autorisés), la réduction de la superficie du lot, l'augmentation du retrait minimal de cour avant, la réduction du retrait minimal de cour latérale intérieure sud, la réduction de la superficie de l'aire d'agrément et la présence de saillies dans la cour arrière.

L'emplacement est actuellement occupé par un duplex. Dans le cadre de ce réaménagement, une partie du bâtiment existant serait conservée pour être surélevée et agrandie en longueur. Le propriétaire a entrepris la rénovation du bâtiment en vertu d'un permis d'agrandissement du duplex. Par le biais de cette demande de modification de zonage, le propriétaire a manifesté son intention de transformer le duplex existant (grâce à son prolongement) en immeuble d'habitation de faible hauteur.

Les Services de planification déconseillent l'approche adoptée pour ce réaménagement. Par suite d'un manque de transparence, une demande de permis de construire a été satisfaite pour une utilisation, suivie peu après d'une demande de réaménagement de l'emplacement dans l'optique d'une utilisation différente. Cet ordre de dépôt des demandes est toutefois autorisé en vertu de la *Loi sur l'aménagement du territoire*. De la même manière, l'obtention d'un permis de construire pour une utilisation différente ne soustrait pas le requérant à l'obligation d'apporter des changements résultant des commentaires émis dans le cadre du processus de modification de zonage et de réglementation du plan d'implantation.

Bien que le personnel soit préoccupé par l'approche que le propriétaire a adoptée pour réaménager cet emplacement, la demande de modification du Règlement de zonage favorise en elle-même un aménagement intercalaire approprié et est soutenue par les Services de planification. La modification de zonage permettra un aménagement

résidentiel intercalaire qui est compatible avec les modèles et les formes bâties établis, et s'en inspire. La demande a été examinée en tenant compte de la *Loi sur l'aménagement du territoire* et de la Déclaration de principes provinciale, du Plan officiel (2003) et de la Modification 150 au Plan officiel (MPO 150), du Plan secondaire et du Plan de conception communautaire de la rue Scott, de la Zone sous-jacente de quartiers établis et des Lignes directrices en matière d'aménagements résidentiels intercalaires de faible hauteur. Le personnel estime que les modifications proposées sont appropriées pour l'emplacement et recommande son approbation par le Conseil.

Consultation publique et commentaires

Un avis public a été donné et une consultation publique a eu lieu conformément à la Politique d'avis et de consultation publique approuvée par le Conseil municipal pour les modifications du Règlement de zonage. Tout au long du processus de demande, environ 13 membres du public ont fait part de leurs commentaires. Lors de l'examen de la demande, le requérant et le conseiller Leiper ont animé une réunion publique d'information, qui s'est déroulée le mercredi 10 juillet 2019 au centre communautaire de Hintonburg. Les commentaires des membres du public portaient essentiellement sur la conception de l'immeuble et sur l'approche adoptée par le propriétaire pour réaménager l'emplacement. Ces commentaires sont reproduits dans le document 4 – Détails de la consultation.

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

87 Stirling Avenue

Owner

2673469 Ontario Inc. (Robin Mathew)

Applicant

Fotenn Consultants Inc. and 2B Developments

Architect

2B Developments

Description of site and surroundings

The site is located in Hintonburg neighbourhood and is approximately 357 square metres in area. The property has approximately 12 metres of frontage on Stirling Avenue. The site is currently occupied by a two and a half-storey duplex dwelling with a northern interior side yard parking space. The site is surrounded on all sides by low-rise residential with heights of two or three storeys.

Summary of requested Zoning By-law amendment proposal

The proposed development is for a three-storey low-rise apartment dwelling with seven dwelling units. The redevelopment seeks to retain a portion of the existing building on-site and provide an extension in height and in length of the building. The subject property is currently zoned R4H (Residential Fourth Density, Subzone H), which permits a maximum of four dwelling units in a low-rise apartment dwelling. The proposed rezoning seeks to add a site-specific exception to the current zoning to permit an increase in permitted units, allowing seven dwelling units total, and to add site-specific performance standards relating to the low-rise apartment dwelling, including lot area, front yard setback, interior side yard setback, amenity area, and yard projections.

Brief history of proposal

In advance of applying for this rezoning application and associated Site Plan Control application for a seven-unit apartment dwelling, the owner received a building permit to construct an extension of the existing duplex. As such, the owner has begun to renovate the existing building on-site in accordance with the permit for an extension to the existing duplex. A rezoning and Site Plan Control application was not required for the duplex extension. Through this rezoning application, the owner has identified their intent to convert the constructed duplex (with the extension) into the proposed low-rise apartment dwelling use.

Staff have advised the owner that the approach taken, to receive a building permit for one use, to be followed shortly thereafter by an application with the intent to redevelop the site as a different use, while permitted by the *Planning Act*, is discouraged by Planning Services. This type of approach lacks transparency and does not preclude the

necessity for changes to take place as a result of comments generated through the rezoning and Site Plan Control process.

DISCUSSION

Public consultation

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.

During the application review process, the applicant and Councillor Leiper hosted a community information session on Wednesday July 10, 2019 at the Hintonburg Community Centre. Planning Services staff were in attendance. Approximately 11 residents signed-in to the open house.

Throughout the application process, approximately 13 members of the public provided comments. The public's input focused primarily on the design of the building and the approach that the owner took to redevelop the site. The comments are detailed in Document 4 – Consultation Details.

For this proposal's consultation details, see Document 4 of this report.

Official Plan designation

In accordance with Schedule B of the Official Plan, the property is designated General Urban Area.

Other applicable policies and guidelines

The site is located within the Scott Street Secondary Plan and Community Design Plan area, where it is identified as being within the Low-Rise Residential area and as having a maximum of three storeys in height. The Mature Neighbourhoods Overlay and the Urban Design Guidelines for Low-Rise Residential Infill also apply to this proposal.

Urban Design Review Panel

The property is not within a Design Priority Area and was not subject to the Urban Design Review Panel (UDRP) process.

Planning rationale

Official Plan Policies

The proposal has been reviewed under the consolidated Official Plan (2003 – OPA76) and in accordance with Council approved amendments contained within Official Plan Amendment 150 (OPA150). The proposed zoning amendment is consistent with the applicable Official Plan policies, including General Urban Area policies (Section 3.6.1) and the Urban Design and Compatibility policies (Section 2.5.1 and 4.11).

Pursuant to Schedule B and Section 3.6.1, the property is designated General Urban Area. As outlined in Section 3.6.1, the General Urban Area permits the development of a range of housing types and encourages infill development in a manner that ensures the long-term vitality of communities. Consistent with this policy direction, the proposal provides compatible intensification with a low-rise residential infill development that builds upon the established patterns and built form.

Planning Services is of the opinion that the proposal conforms to the established pattern and built form. The development is proposed within an area primarily zoned R4 (Residential Fourth Density). The planned function of the R4 zone is to allow for a mix of residential building forms ranging from detached to low-rise apartment dwellings. This provides a range of housing options, while regulating development in a manner that is compatible with existing land use patterns. Stirling Avenue is currently characterized by a range in housing types on lots of varying sizes. The proposal will allow for a low-rise apartment, a use that is permitted within the zone, on a lot that is only 2.6 square metres below the permitted area required for this use. While the site's subzone (H) limits the number of dwelling units to four, the proposal seeks permission to allow for seven dwelling units. Planning Services is of the opinion that the three additional dwelling units, within the low-rise apartment dwelling built form, is in keeping with the context of the surrounding uses and planned function of the area.

A driveway providing access to one parking space is typical of the neighbourhood. The proposal includes one visitor parking space, located in the northern interior side yard. The existing access from Stirling Avenue is being retained for this parking space. The property is designated Area X: Inner Urban on Schedule 1A of the Zoning By-law. For this designation and residential use, no off-street motor vehicle parking is required to be provided for the first twelve dwelling units. The property is located within approximately 700 square metres of both Tunney's Pasture and Bayview Transit Station and there is

also street parking available on the east side of Stirling Avenue. As the proposal satisfies the zoning requirements, no amendments are required, and Planning Services is satisfied that the proposal conforms to the established pattern of the neighbourhood.

Section 2.5.1 and 4.11 provides policy direction for urban design and compatibility. Compatible development generally means development that, although not necessarily the same as or similar to existing buildings in the vicinity, nonetheless enhance an established community and does not cause undue adverse impact on surrounding properties. In this case, a portion of the exterior brick walls will be re-cladded and maintained. New walls will be constructed in order to extend the building into the rear yard by an additional approximately 2.5 metres and extend the building in height to allow for a third storey with a flat roof. Planning Services is of the opinion that, with the changes proposed to the building envelope, the building remains compatible with the surrounding build form and allows for appropriately scaled infill development.

Scott Street Secondary Plan and Community Design Plan

The property also falls within the boundaries of the Scott Street Secondary Plan and Community Design Plan. It is consistent with applicable policies in these plans. In the Scott Street Secondary Plan, the property is designated Low-Rise Residential in Schedule A – Land Use and designated Low Rise Up to 3 storeys in Schedule B – Maximum Building Heights.

Section 4.5 of the Scott Street Secondary Plan outlines policy direction for properties that are designated low-rise residential. It identifies that neighbourhoods designated low-rise residential are anticipated to undergo very little change outside of small-scale infill and intensification. The proposed redevelopment of a two-storey duplex into a three-storey low-rise apartment dwelling provides for this small-scale infill and adheres to the maximum permitted three-storey heights required by the Secondary Plan.

The Scott Street Community Design Plan provides direction to reinforce and respect the character of existing neighbourhoods by encouraging low-rise residential infill development on underutilized sites within the neighbourhoods and by encouraging the character of local streetscapes, including front yards, to be maintained. The proposal provides such low-rise infill development in such a way as to preserve the front yard of the existing lot. The character of the local streetscape is further defined through the Mature Neighbourhoods Overlay and accompanying Streetscape Character Analysis.

Mature Neighbourhood Overlay – Streetscape Character Analysis

The Mature Neighbourhoods Overlay applies to this redevelopment. The Mature Neighbourhood regulations are in place to regulate certain aspects of a development to be compatible with the residential character of the neighbourhood. Namely, the main entrance, parking and front yard landscaping.

The applicant completed a Streetscape Character Analysis, which reflects the established local streetscape character. A Streetscape Character Analysis results in a three-letter summary that represents the dominant character, or “Character Group”. In this case, the character type is “B, B, A”. This means that the Stirling Avenue streetscape is characterized by: a landscaped front yard in front of the principal dwelling, driveways are less than or equal to one-third in width than the actual lot width; and principal entranceway is located along the front wall of the dwelling. The proposal adheres to these same Character Groups.

Urban Design Guidelines for Low-Rise Residential Infill

The Urban Design Guidelines for Low-rise Infill Housing provide a framework to encourage quality design and infill development that is compatible. The sections of these guidelines that specifically apply to this proposal relate to encouraging an enhanced streetscape, emphasizing front doors and windows rather than garages, and providing at-grade living spaces that promote interaction with the street.

The design of the low-rise apartment dwelling promotes interaction with the public realm by having front facing windows and a front facing door. There is also only one vehicular parking space provided, in the same location as the current vehicular parking space (in the northern interior side yard), which preserves the residential character and continuity along Stirling Avenue. Additional design elements, such as the materials used on the building, will be addressed through the accompanying Site Plan Control application. Planning Services is of the opinion the proposal conforms to the Urban Design Guidelines for Low-Rise Residential Infill.

Proposed Zoning Details

As detailed in Document 2 – Details of Recommended Zoning, the proposed Zoning By-law amendment will re-zone the site from R4H (Residential Fourth Density, Subzone H) to R4H[xxxx] (Residential Fourth Density, Subzone H, Exception XXXX). The site-specific urban exception will permit an increase in the number of dwelling units,

reduced lot area, increased front yard setback, reduced southern interior side yard setback, reduced amenity space, and permissions for rear yard projections of balconies and stairs. The following summarizes the site-specific zoning provisions:

- **Additional Dwelling Units**

The proposed rezoning permits seven dwelling units, where under Subzone H, only four are currently permitted. For reasons outlined within the Planning Rationale, Planning Services is of the opinion the additional three dwelling units is appropriate intensification. This increase in units will help to provide small scale infill and intensification in the City.

- **Reduced Lot Area**

The required lot area for a low-rise apartment in this zone is 360 square metres, whereas the existing lot is 357.5 square metres and has a low-rise apartment dwelling use proposed. The lot is therefore 2.5 square metres less than required. Planning Services is satisfied that this reduction in lot area is reasonable.

- **Increased Front Yard Setback**

This property is within the Mature Neighbourhoods Overlay and, as such, the required front yard setback is the average of the abutting lots, in this case 8.8m. There is also, however, a provision within the Overlay which identifies that in no case does the yard abutting the street need to exceed a setback of 6 metres. Therefore, the required front yard setback on this property is 6 metres.

The existing building is located 4.9 metres from the front property line. Therefore, the owner has a non-conforming right to the existing setback for the first two storeys; however, the additional third storey does not have non-conforming rights nor does it comply with the required minimum 6-metre front yard setback. Planning Services is satisfied that keeping the third storey flush with the retained portion of the building is reasonable and provides a higher quality aesthetic.

- **Reduced Southern Interior Side Yard Setback**

The interior side yard setback is 1.5 metres for any part of the building located within 21 metres of a front lot line and 6 metres for the remainder of the lot. While the northern interior side yard exceeds the minimum, providing a setback of 3.5m, the southern interior side yard does not comply. With the addition, the building no longer

retains its non-complying rights to this existing setback. At its closest point (for a length of approximately 5 metres), the building is 0.26 metres from the southern lot line, while the remainder of the building is 0.87 metres from the southern lot line. The building directly south of the subject site is approximately 3 metres from this shared lot line. Planning Services is satisfied that in this specific context, given the existing condition, the reduced southern interior side yard setback is appropriate.

- **Reduced Amenity Space**

For the proposed seven dwelling units, the site requires 105 square metres of communal at-grade rear yard landscaped amenity space. Of this 105 square metres, 84 square metres is required to be soft landscaping. The proposal reduces the total amenity area to 81 square metres, of which 60 square metres is soft landscaping. Planning Services is comfortable that with the balconies and amount of overall landscaping onsite (including within the front and northern side yards), that the reduction of 24 square metres of amenity space is reasonable.

- **Projections into the Rear Yard**

On lots 30 metres or less in depth in this zone, balconies may not project into a required yard. The existing lot is 0.8 metres less than this minimum depth threshold, as the lot depth is 29.2 metres, and the proposal includes rear yard balconies. The zoning provision included in the proposed exception permits balconies on a low-rise apartment building to project into the rear yard 1 metre.

Table 65(5) of the Zoning By-law also requires that open stairways may only project 1.5m. Due to the nature of the retrofit of this existing duplex, the owner is providing multiple entranceways into the building. As a result, there is a double row of stairs that project 1.96 metres into the required rear yard. The zoning provision included in the proposed exception permits open stairways on a low-rise apartment building to project a maximum of 2 metres into the required rear yard.

Planning Services is satisfied that both exemptions to projection requirements are reasonable.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014. The development represents an efficient use of land and contributes to the city's mix of housing choices.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR(S)

Councillor Leiper provided the following comments on this report:

"I am aware of the application. I agree in general with the position of the Hintonburg Community Association. I would ask members of the Committee to review their comments, in particular the following point provided in their initial comment submission to the lead planner: "It is unfortunate that the applicant chose to proceed with retention of the existing structure and construction of the addition prior to approval of this application. These actions pre-empt or render more difficult the resolution of several of the issues below."

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the report recommendation.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with the recommendation in this report.

ASSET MANAGEMENT IMPLICATIONS

There are asset management implications associated with the recommendations of this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

The proposed Zoning By-law amendment does not have an impact on the accessibility of the building. The accessibility of the building will be addressed through the Site Plan Control process, and the owner will be required to meet the accessibility criteria contained within the Ontario Building Code.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- HC3 – Create new and affordable housing options
- HC1 – Advance equity and inclusion for the city's diverse population
- C1 – Contribute to the improvement of the quality of life for Ottawa residents

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-19-0050) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to extra time needed for the applicant to work to resolve some of the issues and concerns that were raised during the circulation of the application and workload volumes.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Development Concept Plans

Document 4 Consultation Details

CONCLUSION

The Planning, Infrastructure and Economic Development department supports the proposed Zoning By-law amendment application to permit a three-storey low-rise apartment dwelling with seven dwelling units. These amendments and the resulting development allow for compatible infill development in the urban area. The requested amendments are consistent with the Provincial Policy Statement and conforms to the

Official Plan and Scott Street Secondary Plan. The Zoning By-law amendment represents good planning and the department recommends the requested amendments be approved.

DISPOSITION

Legislative Services, Office of the City Clerk 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 in Hintonburg neighbourhood and is approximately 357 square metres in area. The property has approximately 12 metres of frontage on Stirling Avenue.



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 87 Stirling Avenue:

1. Rezone the lands municipally known as 87 Stirling Avenue from R4H to R4H[XXXX].
2. Amend Section 239 – Urban Exceptions, by adding a new exception [XXXX], with provisions similar in effect to the following:
 - a) In column II add the text: R4[XXXX]
 - b) In column V add the following text:
 - i. For a low-rise apartment dwelling:
 1. Maximum number of permitted dwelling units: 7.
 2. Minimum lot area: 357 square metres.
 3. Minimum front yard setback: 4.9 metres.
 4. Minimum total communal amenity area for a low-rise apartment with 7 dwelling units or less is 81 square metres and is subject to the following:
 - i. Consist of at least 60 square metres of soft landscaping
 - ii. Be landscaped
 - iii. Be located at grade and in the rear yard and may include one interior yard that abuts both the rear yard and interior side yard
 5. Minimum south interior side yard setback is 0.26 metres for any part of a building located more than 13 metres and less than 18 metres from the front lot line; in all other circumstances, the minimum south interior side yard setback is 0.87 metres.
 6. A balcony may project a maximum of 1 metre into the required rear yard.
 7. Open stairways may project a maximum of 2 metres into the required rear yard.

8. Maximum width of walkways: 2.2 metres.

FRONT ELEVATION

1. EXTERIOR ELEVATION (FRONT)

2. EXTERIOR ELEVATION (SIDE)

3. EXTERIOR ELEVATION (REAR)

4. EXTERIOR ELEVATION (CORNER)

5. EXTERIOR ELEVATION (STAIRS)

6. EXTERIOR ELEVATION (ROOF)

7. EXTERIOR ELEVATION (LANDSCAPE)

8. EXTERIOR ELEVATION (FURNITURE)

9. EXTERIOR ELEVATION (LIGHTING)

10. EXTERIOR ELEVATION (SIGNAGE)

11. EXTERIOR ELEVATION (ACCESSORIES)

12. EXTERIOR ELEVATION (DETAILS)

13. EXTERIOR ELEVATION (FINISHES)

14. EXTERIOR ELEVATION (MATERIALS)

15. EXTERIOR ELEVATION (COLORS)

16. EXTERIOR ELEVATION (TEXTURES)

17. EXTERIOR ELEVATION (SHADOWS)

18. EXTERIOR ELEVATION (HIGHLIGHTS)

19. EXTERIOR ELEVATION (MIXTURE)

20. EXTERIOR ELEVATION (HARMONY)

21. EXTERIOR ELEVATION (BALANCE)

22. EXTERIOR ELEVATION (RHYTHM)

23. EXTERIOR ELEVATION (UNITY)

24. EXTERIOR ELEVATION (VARIETY)

25. EXTERIOR ELEVATION (CONTRAST)

26. EXTERIOR ELEVATION (EMPHASIS)

27. EXTERIOR ELEVATION (SUBORDINATION)

28. EXTERIOR ELEVATION (SCALE)

29. EXTERIOR ELEVATION (PROPORTION)

30. EXTERIOR ELEVATION (COMPOSITION)

31. EXTERIOR ELEVATION (DESIGN)

32. EXTERIOR ELEVATION (CONCEPT)

33. EXTERIOR ELEVATION (IDEA)

34. EXTERIOR ELEVATION (FORM)

35. EXTERIOR ELEVATION (FUNCTION)

36. EXTERIOR ELEVATION (STRUCTURE)

37. EXTERIOR ELEVATION (SYSTEMS)

38. EXTERIOR ELEVATION (MECHANISMS)

39. EXTERIOR ELEVATION (DETAILS)

40. EXTERIOR ELEVATION (FINISHES)

41. EXTERIOR ELEVATION (MATERIALS)

42. EXTERIOR ELEVATION (COLORS)

43. EXTERIOR ELEVATION (TEXTURES)

44. EXTERIOR ELEVATION (SHADOWS)

45. EXTERIOR ELEVATION (HIGHLIGHTS)

46. EXTERIOR ELEVATION (MIXTURE)

47. EXTERIOR ELEVATION (HARMONY)

48. EXTERIOR ELEVATION (BALANCE)

49. EXTERIOR ELEVATION (RHYTHM)

50. EXTERIOR ELEVATION (UNITY)

51. EXTERIOR ELEVATION (VARIETY)

52. EXTERIOR ELEVATION (CONTRAST)

53. EXTERIOR ELEVATION (EMPHASIS)

54. EXTERIOR ELEVATION (SUBORDINATION)

55. EXTERIOR ELEVATION (SCALE)

56. EXTERIOR ELEVATION (PROPORTION)

57. EXTERIOR ELEVATION (COMPOSITION)

58. EXTERIOR ELEVATION (DESIGN)

59. EXTERIOR ELEVATION (CONCEPT)

60. EXTERIOR ELEVATION (IDEA)

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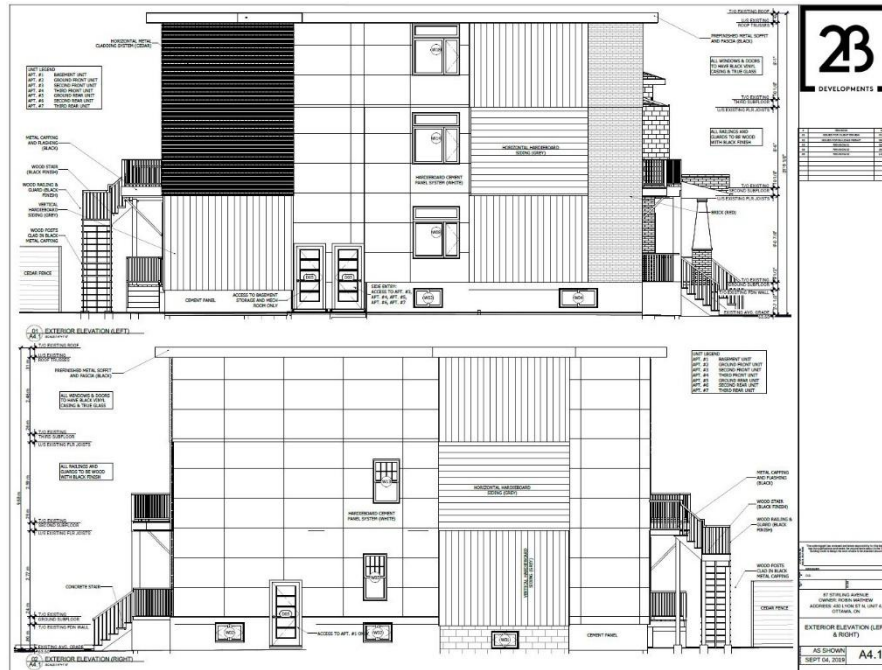
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Draft Exterior Elevation (Sides)



Document 4 – 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.

During the application review process, the applicant and Councillor Leiper hosted a community information session on Wednesday July 10, 2019 at the Hintonburg Community Centre. Planning Services staff were in attendance. Approximately 11 residents signed-in to the open house.

Throughout the application process, approximately 13 members of the public provided comments. The public's input focused primarily on the design of the building and the approach that the owner took to redevelop the site.

Public Comments and Responses

Comment: There is concern with the design of the development, specifically with the materiality and balconies.

- This development will have prominence on the street and add density to the lot. In exchange for the additional density, the developer should improve the streetscape. The current development has a façade that does not have architectural merit and unattractive corrugated metal siding.
- Concerned with the black corrugated metal siding wrapping the sides and back, that is too dark.
- Concerned with the balconies. The peg leg effect with the left post running from the ground up to the second-floor balcony is unattractive.
- Some residents were concerned at the loss of the brick siding while others articulated a concern that the brick siding lacked creativity

Response:

- Materiality will be addressed through the Site Plan Control process. The design of the balconies has evolved to no longer include a 'peg-leg effect'.

Comment: Concern that the building will block the sun on abutting properties, particularly during winter.

Response: The proposal is not proposing to change existing zoning permissions in height. The maximum building height is 11 metres and the proposed building is approximately 10 metres in height.

Comment: Residents are concerned the development will reduce the amount of available street parking. There is an existing shortage in visitor parking (street parking) in the area.

Response: No vehicular parking is required on this site; however, the applicant is providing one vehicular parking space in the northern interior side yard.

Comment: One resident identified that seven dwelling units is too many

Response: As presented in the Planning Rationale, Planning Services is satisfied that seven dwelling units is appropriate in this case.

Comment: Residents are concerned by the loss of green space and not enough trees are proposed.

Response: The development meets the required 30% landscaped area.

Comment: Concerned that there are insufficient cycling amenities.

Response: There is a bicycle parking ratio of 0.5 per dwelling unit. Therefore, for seven dwelling units, the development requires four bicycle parking spaces. However, the applicant is providing an additional three, for a total of seven bicycle parking spaces.

Community Organization Comments and Responses

The Hintonburg Community Association provided the following comments on July 29, 2019:

RE: .87 Stirling Zoning By-law amendment

It is unfortunate that the applicant chose to proceed with retention of the existing structure and construction of the addition prior to approval of this application. These actions pre-empt or render more difficult the resolution of several of the issues below.

The new construction (rear addition and third floor) offered opportunities to create some articulation of the façades, such as partially inset balconies.

It is also unfortunate that the HCA was not involved in the pre-consultation referred to in the Planning Rationale. Again, several of the issues below could have been discussed and possibly resolved.

The HCA is strongly opposed to the application as presented.

It is unfortunate that the applicant chose to proceed without meaningful consultation and without employing good design to mitigate the effects of the increased building envelope and increased number of units. As it stands, the poor design of the proposed development needlessly magnifies the impact of the increased unit number.

Parking

The plan for parking is a positive aspect of this proposal. We appreciate the visitor parking space which can also serve for deliveries, move-ins, etc. We also appreciate the lack of other on-site parking that would result in paving of rear yard space. The number of permitted parking spaces being one and the location of that space should be specified in the rezoning.

Bicycle parking

Bicycle parking is a positive feature. However, more than one space per unit is needed given that no other resident parking is provided. We appreciate that the bike parking is covered, but some indoor parking should also be provided.

Permeable surfaces

We recommend that permeable pavers be required for the parking space and for the garbage storage area.

Rear yard

We appreciate the rear yard amenity space provided. The presence of this yard makes these units family friendly. This space offers an ideal opportunity to plant more trees – to increase the tree canopy which is sadly reduced by most infill projects, offer shade to residents, and eventually to cool adjacent apartments. A landscape plan should specify that there will be substantial tree planting. A

permanent structure at the rear of the single parking space should be required to prevent conversion of the rear yard to parking.

Façades

The street façade of this building is lacking in character and articulation and negatively impacts the pedestrian experience of the neighbourhood. The design is frankly poor. Applying faux brick to the front façade cannot be considered adequate design to mitigate the impact of the proposed redevelopment on the streetscape.

As requested, we have attached several photos that illustrate the use of various types of cladding in order to break up the massing of new structures. All four façades must be treated with a variety of materials and colours. The use of brick (or brick material) needs to be spread around the building to create a unity of design.

The second floor and third floor front decks being supported on plain wood posts with no attempt at design is completely unacceptable. These must be integrated with the building design. A ground floor porch is required to provide an appropriate visual support for the upper level decks, as is the usual pattern in the surrounding community. The decks could be located closer to the south side of the building, so that a ground level deck could be provided and separated from the entranceway by an opaque or solid barrier in order to preserve privacy.

The basement unit could be moved to the rear addition and the storage area to the front, eliminating the possibility that the basement window of an apartment is located under porch decking. If this is not possible, the basement window can be converted to a corner window, with no loss of light. A desire to save cost by using only existing openings is not sufficient justification for poor design.

The impacts of the existing encroachments on yard setbacks are amplified by the additional third story height and lengthening of the building footprint to the rear and interior side lot lines. Therefore, the new construction (rear addition and third floor) should respect the zoning by-law set-back and provide for articulation of the rear and side façades, such as partially inset balconies.

Number and size of units

We are not opposed to an increase above the four-unit cap in the by-law. However, seven units appear to be too many unless the applicant is capable of producing a good design that accommodates that number of units.

We note that the combined living/ dining kitchen spaces in the units are so small (entire units total only 320 sf) that this development likely will not attract the stable, long-term tenants that this neighbourhood needs.

We would like to see at least one 3-bedroom unit suitable for a family. This neighbourhood has parks, schools, recreational facilities, access to transportation (buses and LRT), and local shopping that can support car-free family living. The schools depend on families living in the neighbourhood.

The applicant is paying for a zoning by-law amendment, not a minor variance application. Therefore, we encourage the applicant not to simply follow the existing by-law slavishly, except for increasing the permitted number of units. The HCA supports variances from the by-law that accommodate good design.

In summary, this development has unfortunately been begun before the zoning bylaw amendment was approved. This likely exacerbated the poor design of the proposed structure, which appears driven by a strategy of first maximizing the permitted building envelope, then seeking rezoning for an increase in units, instead of appropriately designing a building for the proposed number of units. We oppose the current proposal. Only substantial changes that result in a well-designed structure could possibly make this proposal acceptable.

The Hintonburg Community Association provided the following additional comments on October 6, 2019:

The Hintonburg Community Association strongly recommends that the existing brick cladding on the first two floors of 87 Stirling be retained and that compatible modern cladding be used for new construction.

The attached photo shows the building in August and an inspection today confirms that the brick cladding is still in place and in good condition. Retention of the brick and of the oval window to the right of the front door would significantly improve the compatibility of the proposal with the existing streetscape and

provide an opportunity to vary the materials used in order to reduce the impact of the massing.

Your consideration of this recommendation will be appreciated by the HCA and the community.

The Hintonburg Community Association provided the following additional comments on November 14, 2019:

RE: .87 Stirling Zoning By-law amendment D02-02-19-0050

The Hintonburg Community Association has reviewed the revised plans for this proposal, and we note several positive changes from the earlier proposal.

Parking

The plan for providing a visitor parking space which can also serve for deliveries, move-ins, etc. is a positive aspect of this proposal. We appreciate the addition of a fence around this space to prevent access to the rear yard. The number of permitted parking spaces being one and the location of that space should be specified in the new zoning.

Bicycle parking

The provision of one bicycle parking space per unit is a positive feature. However, more than one space per unit is recommended given that no other resident parking is provided. It does not appear that indoor bike parking has been provided as we requested.

Permeable surfaces

We support the use of permeable pavers for the parking space and for the garbage storage area.

Rear yard

We appreciate the rear yard amenity space provided. The presence of this yard makes these units family friendly. This space offers an ideal opportunity to plant more trees – to increase the tree canopy which is sadly reduced by most infill projects, offer shade to residents, and eventually to cool adjacent apartments. (see below for further comments)

Façades

We note that the façades have been improved by the use of a variety of materials. We strongly urge the applicant to retain the existing brick on the ground floor in order to mitigate the impact of the proposed redevelopment on the streetscape.

The redesign of the second floor and third floor front decks and the small front porch is appreciated.

Number and size of units

There appears to be no change in the number and size of units in the updated proposal. We note that the combined living/ dining kitchen spaces in the units are so small (entire units total only 320 sf) that this development likely will not attract the stable, long-term tenants that this neighbourhood needs.

We re-iterate our request for at least one 3-bedroom unit suitable for a family . This neighbourhood has parks, schools, recreational facilities, access to transportation (buses and LRT), and local shopping that can support car-free family living. The schools depend on families living in the neighbourhood.

Landscaping

The proposed plant list and the location of plantings seems unrealistic. The hydrangea bush beside the driveway near the city sidewalk is not likely to survive. What does “assorted foliage” mean? We are glad to see trees in the rear yard, but the site plan should specify the species to be planted and the location should be more carefully thought out. Again, the location of the hydrangeas seems unusual, so close to the trees.

Thank you for the opportunity to comment on this revised proposal.

Response: Please see responses to general public comments.