

12. Zoning By-law Amendment – 58 Florence Street

Modification du *Règlement de zonage* – 58, rue Florence

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 58 Florence Street to permit a three-storey low rise apartment dwelling as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification apportée au Règlement de zonage 2008-250 et visant le 58, rue Florence, afin de permettre la construction d'un immeuble résidentiel de faible hauteur (trois étages), comme le précise le document 2.

Documentation/Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated November 18, 2019 (ACS2019-PIE-PS-0119)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 18 novembre 2019 (ACS2019-PIE-PS-0119)

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 18 November 2019
Soumis le 18 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: SOMERSET (14)

File Number: ACS2019-PIE-PS-0119

SUBJECT: Zoning By-law Amendment – 58 Florence Street

OBJET: Modification du *Règlement de zonage* – 58, rue Florence

REPORT RECOMMENDATIONS

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 58 Florence Street to permit a three-storey low-rise apartment dwelling 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 apportée au *Règlement de zonage 2008-250* et visant le 58, rue Florence, afin de permettre la construction d'un immeuble résidentiel de faible hauteur (trois étages), comme le précise 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.

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

58 Florence Street

Owner

Salvatore Falsetto

Applicant

Teresa Thomas, Novatech

Description of site and surroundings

The subject property is located on the south side of Florence Street between Kent Street and Bank Street in Centretown. The property has an area of 353 square metres and 11.5 metres of frontage on Florence Street. The subject site is currently occupied by a two-and a half-storey residential building, with driveway access to parking in the rear yard.

The surrounding neighbourhood is characterized by a mix of low-rise to mid-rise residential uses, commercial, and institutional uses. To the north of the subject property is an institutional use and low-rise residential uses. To the east is a mix of low-rise residential and commercial uses, to the south is a mid-rise residential use, and a mix of commercial and institutional uses fronting onto Gladstone Avenue. Finally, to the west is a mix of mid-rise and low-rise residential uses.

Summary of requested Zoning By-law amendment proposal

The subject property is currently zoned R4S [479] (Residential Fourth Density, Subzone S, Exception 479). The owner would like to construct a three-storey, nine-unit apartment dwelling on the site and is seeking to add a new exception to the current zoning to add site-specific performance standards relating to the low-rise apartment dwelling. The proposal is not in conformity with some of the applicable zoning provisions in the R4S zone, including the lot width, lot area, interior side yard setback, rooftop access, and walkway width.

DISCUSSION

Public consultation

Public notification for this application was undertaken in accordance with the requirements of the *Planning Act* and the City of Ottawa's Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

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

Official Plan designation

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

Other applicable policies and guidelines

The site is located within the Centretown Secondary Plan and Community Design Plan area. The property is identified as being within the Residential Character Area in the Secondary Plan and Community Design Plan.

The site is also located within the Centretown Heritage Conservation District and is subject to Section 60 - Heritage Overlay of Zoning By-law 2008-250.

Planning Rationale

The proposed zoning amendment is consistent with the applicable Official Plan policies, including the General Urban Area designation (Section 3.6.1), as well as the Centretown Secondary Plan and Community Design Plan.

In the General Urban Area designation, the policy framework permits many types and densities of housing and indicates that building heights in the General Urban Area will continue to be predominantly low-rise, and changes in building form, height and density will be evaluated based on compatibility with the existing context and the planned function of the area. Furthermore, when considering a proposal for residential intensification through infill or redevelopment, the City will recognize the importance of creating a balance of housing types and tenures to provide a full range of housing for a variety of demographics.

Within the Centretown Secondary Plan, new development in the Residential Character Areas shall be consistent with the prevailing pattern of development along the street in the immediate vicinity, in terms of front and side yard setbacks and massing. The proposed development on the subject property is consistent with the policy direction in the Secondary Plan, as the setbacks and massing are consistent with the prevailing pattern of development on Florence Street.

The planned function of the R4 zone is to allow a mix of residential building forms ranging from detached to low-rise apartment dwellings. It provides a range of housing

options, while regulating development in a manner that is compatible with existing land use patterns. Florence Street is currently characterized by two-and three-storey residential buildings, ranging from detached dwellings to low-rise apartment dwellings, with some commercial buildings at the eastern end of the street, close to Bank Street. Adjacent to the subject property to the west and south is a five-storey condominium apartment building. Given the immediate context of the site, which includes a mix of housing types at a similar scale to the proposed development, the proposal to construct a three-storey, nine-unit apartment building is in keeping with the context of the surrounding uses and the planned function of the area. It is staff's opinion that the proposed development represents an appropriate level of intensification on the site in a building that is reflective of the scale and character of the surrounding area.

In respect to the relief being sought through this Zoning By-law amendment, including the reduced lot width (15 metres to 11.5 metres) and lot area (450 square metres to 353 square metres), reduced interior side yard setback (2.5 metres to 2.2 metres and 0.6 metres), increased walkway width (1.25 metres to 1.9 metres), and increased size of the rooftop access (10 square metres to 20 square metres), staff are of the opinion that the relief sought is appropriate and represents good planning. There are other low-rise apartment dwellings on lots of similar size to the subject property, and the proposed interior side yard setbacks are in line with the pattern of side yard setbacks along this stretch of Florence Street. The proposed interior side yard setback of 0.6 meters along the westerly side yard will have minimal impact on the neighbouring property, which contains a building taller than the proposed development, and will provide a greater setback than what is currently provided by the existing building. In respect to the rooftop access, relief is being sought due to the wording of the provision in Section 161 of the By-law relating to rooftop accesses, which indicates that "where located on the roof of the uppermost storey", a rooftop access must not exceed a total area of 10.5 square metres. Important to note is that, while located on the roof of the uppermost storey, the proposed rooftop access is located within the 14.5 metre height limit in the R4S zone, so could be considered an additional storey. As well, the owner would be permitted to add a fourth storey with a rooftop access projecting above the height limit in accordance with Section 161. As such, staff are of the opinion that the size of the rooftop access as proposed will not have any negative impact on neighbouring properties and meets the intent of the By-law. Lastly, a zoning provision has been included in the site specific exception that permits the required communal amenity area to be divided into multiple areas on the lot, rather than being required to be provided solely at grade and in the rear yard, to reflect the fact that amenity area is being provided in the rear yard and on a

rooftop patio. Staff have no concerns with this, as more than the required amenity area is being provided. Overall, the proposed development is compatible with the existing streetscape along Florence Street.

Provincial Policy Statement

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

Councillor McKenney provided the following comments:

"This low-rise apartment will positively contribute to the rental housing stock in Centretown and is consistent with the look and feel of the neighbourhood. I appreciate the addition of extra bicycle parking spaces for this centrally located residence.

More effort should be put into retaining the existing trees on site. Per the recent Canada's Capital Region Tree Canopy Assessment, Ward 14 has the lowest amount of tree canopy cover out of all Ottawa and Gatineau wards. We must work to protect our urban tree canopy and prevent further loss.

The Manitoba Maple in the rear yard must be retained to provide shade and privacy for the rear amenity space. This tree does not conflict with the building footprint and would enhance the rear yard.

The easternmost City-owned Japanese Lilac in the front yard should also be retained. The proposed walkway would conflict with the tree. However, this walkway exceeds the maximum width permitted as stated in the Zoning By-law. The proposed walkway width should be reduced to allow the second Japanese Lilac to remain."

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

There are no 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 any 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
- EP2 – Support growth of local economy

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D07-12-19-0141) was processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Development Concept Plans

CONCLUSION

The Planning, Infrastructure and Economic Development Department supports the proposed Zoning By-law Amendment application to add a site-specific zoning exception to the current R4S zoning to permit site-specific performance standards relating to a low-rise apartment dwelling. The proposal is consistent with the Provincial Policy Statement and the City's Official Plan policies, including the Centretown Secondary Plan, and represents good planning. The department recommends the requested amendment 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 subject property is located on the south side of Florence Street between Kent Street and Bank Street.



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|--|-----------|--|--|
|  | | LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE | |
| D07-12-19-0141 | 19-1182-A | 58 rue Florence Street | |
| I:\CO\2019\Zoning\Florence_58revised | |  Area A to be rezoned from R4S [479] to R4S [XXX1] Le zonage du secteur A sera modifié de R4S [479] à R4S [XXX1] | |
| <small>©Parcel data is owned by Teramet Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.</small> <small>Cles données de parcelles appartenant à Teramet Entreprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE.</small> | |  Heritage (Section 60) Patrimoine (Article 60) | |
| REVISION / RÉVISION - 2019 / 10 / 21 | | Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) / Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139) | |

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 58 Florence Street:

1. Rezone the lands shown in Document 1 from R4S [479] to R4S [XXX1]
2. Add a new exception R4S [XXX1] to Section 239 – Urban Exceptions with provisions similar in effect to the following:
 - a. In Column II, add the text “R4S [XXX1]”
 - b. In Column V, add the following provisions:
 - i. The minimum lot area for a low-rise apartment dwelling is 353 m².
 - ii. The minimum lot width for a low-rise apartment dwelling is 11.5 m.
 - iii. The minimum total interior side yard setback for a low-rise apartment dwelling is 2.8 m, with one minimum yard, no less than 0.6 m.
 - iv. Despite anything to the contrary, a roof-top access within the maximum building height is permitted to have a total area of 20 m².
 - v. Despite Section 139, the maximum permitted width for a walkway is 1.9 m.
 - vi. Despite Row 3, Column IV of Table 137, the required communal amenity area may be aggregated into multiple areas, with at least one area a minimum of 54 m².
 - vii. Section 60 does not apply.

Document 3 – Consultation Details

Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

Below is a summary of the comments received through the public circulation of the application:

Comment:

Side yard setback

There are concerns with the reduced side yard setback considering the history of the site and the damage caused to the existing building from the construction of the building at the corner of Kent and Florence.

One resident expressed concerns about the functionality of the garbage storage and the width of the access to the basement, which is a result of the reduced side yard setback.

Response:

The proposed interior side yard setbacks are consistent with other side yard setbacks within this block.

Comment:

Parking

Lack of parking is a concern because of the limited street parking on Florence Street.

Response:

Parking is not required to be provided for the proposed development.

Comment:

Construction impacts

There are concerns about the impact of the construction on adjacent properties.

One resident expressed concerns about the stability of the soil on the subject property and is concerned about the construction of this building impacting the neighbouring property.

Response:

A Geotechnical Report has been submitted with the application and is being reviewed by the City's engineering staff. Construction details, including excavation and shoring details will be required as part of the building permit application and will be reviewed by the appropriate City staff.

Comment:

Rooftop patio

Rooftop patios are not characteristic of the design of nearby buildings, and they are not in keeping with the character of the buildings within the heritage district. There are also concerns about noise that may generated from residents using the rooftop patio.

Response:

A rooftop patio is permitted at this location. The City's Heritage Planners have reviewed the proposal and are satisfied that the proposed design, including the rooftop patio, is consistent with the Centretown Heritage Conservation District guidelines.

Comment:

Removal of trees on site

One resident expressed concerns about the removal of the Manitoba Maples located along the westerly property line, particularly one tree that does not appear to be impacted by the proposed building. The preservation of mature trees where possible is important to take into consideration.

Response:

Staff are working with the applicant to ensure as many trees on site are retained and new trees planted to replace any that are removed.

Front yard setback

There are concerns with the proposed front yard setback being inconsistent with other front yard setbacks on the street and that it will negatively impact the visual appeal of the streetscape.

Response:

The applicant has revised the plans and the front yard setback is zoning compliant.

Comment:

Density

There are concerns about the density on the site in relation to the size of the lot.

Response:

Staff are of the opinion that the proposed density is appropriate on the subject property. Adequate amenity area, bicycle parking, and garbage storage is being provided.

Comment:

Ramp to basement

One resident expressed concerns about the proposed ramp on the eastern side of the building causing water runoff to the neighbouring foundation.

Response:

The City's engineering staff are reviewed a Grading and Drainage Plan as part of the Site Plan Control application and will ensure that the proposed drainage is appropriate and will not cause undue impacts on neighbouring properties.

Document 4 – Development Concept Plans



Conceptual rendering – view from Florence Street looking south



Conceptual rendering – view from Florence Street looking east



Conceptual rendering – birds-eye view of the rooftop amenity area