

<p>1. ZONING BY-LAW AMENDMENT – 404 EDEN AVENUE</p> <p>MODIFICATION AU RÈGLEMENT DE ZONAGE – 404, AVENUE EDEN</p>

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for 404 Eden Avenue to permit a four-storey apartment building, as detailed in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification au Règlement de zonage 2008-250 pour le 404, avenue Eden, afin de permettre l'aménagement d'un immeuble résidentiel de quatre étages, comme l'explique en détail le document 2.

DOCUMENTATION / DOCUMENTATION

1. Acting Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated 5 January 2017 (ACS2017-PIE-PLS-0004)

Rapport du Directrice par intérim, Services de la planification, Service de la planification, de l'Infrastructure et du développement économique daté le 5 janvier 2017 (ACS2017-PIE-PLS-0004)
2. Extract of draft Minutes, Planning Committee, 24 January 2017.

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 24 janvier 2017
3. Summary of Written and Oral Submissions, to be issued separately with the Council agenda for its meeting of 22 February 2017, as part of the Summary of Oral and Written Public Submissions for Items Subject to Bill

73 'Explanation Requirements'

Résumé des observations écrites et orales, à distribuer séparément avec l'ordre du jour de la réunion du 22 février 2017 du Conseil, comme faisant partie du Résumé des observations orales et écrites du public sur les questions assujetties aux « exigences d'explication » aux termes de la Loi 73.

**Report to
Rapport au:**

**Planning Committee / Comité de l'urbanisme
January 24, 2017 / 24 janvier 2017**

**and Council / et au Conseil
February 8, 2017 / 8 février 2017**

**Submitted on January 5, 2017
Soumis le 5 janvier 2017**

Submitted by

Soumis par:

Lee Ann Snedden,

Acting Director / Directrice par intérim

Planning Services / Services de la planification

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

Contact Person / Personne ressource:

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des demandes d'aménagement urbain / Planning, Infrastructure and Economic
Development Department / Services de la planification, de l'infrastructure et du
développement économique**

(613) 580-2424, 22568, Andrew.McCreight@ottawa.ca

Ward: KITCHISSIPPI (15)

File Number: ACS2017-PIE-PLS-0004

SUBJECT: Zoning By-law Amendment – 404 Eden Avenue

OBJET: Modification au Règlement de zonage – 404, avenue Eden

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 404 Eden Avenue to permit a four-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 Bill 73 'Explanation Requirements' at the City Council Meeting of 8 February 2017 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 pour le 404, avenue Eden, afin de permettre l'aménagement d'un immeuble résidentiel de quatre étages, comme l'explique 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 consultations soit incluse en tant que "brève explication" dans le résumé des observations écrites et orales, qu'elle soit rédigée par le Bureau du greffier municipal et avocat général et soumise au Conseil dans le rapport intitulé, "Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes du projet de loi 73", à la réunion du Conseil municipal du 8 février 2017 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

The recommendation of this report is to approve a Zoning By-law amendment with respect to 404 Eden Avenue to develop a four-storey apartment containing 13 dwelling units with underground parking for nine vehicles.

The requested Zoning By-law amendment adds apartment dwelling, low-rise as an additionally permitted use and includes an Urban Exception for performance standards specific to the site. The amendment includes an increase in building height, reduced

side yard and front yard setbacks, reduced driveway and aisle widths, and an increased rear yard setback.

The application has been reviewed under the consolidated Official Plan (2003) with regard for the Council approved amendment contained within Official Plan Amendment 150 (OPA 150). The site is also subject to the Richmond Road / Westboro Secondary Plan.

The Urban Design Guidelines for Low-rise Infill Housing were also reviewed against the proposal.

Having reviewed the *Planning Act* and Provincial Policy Statement, the Official Plan, Richmond Road / Westboro Secondary Plan and applicable design guidelines, staff are of the opinion that the proposed Zoning By-law amendment represent good planning and are appropriate for the site.

Notification and public consultation was undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications. Approximately 10 respondents commented on the proposal, with the vast majority opposed and/or expressing concerns for specific items.

RÉSUMÉ

La recommandation du présent rapport a pour objet d'approuver des modifications au Règlement de zonage visant le 404, avenue Eden, afin d'y construire un immeuble d'appartements de quatre étages et contenant 13 unités d'habitation, ainsi qu'une aire de stationnement souterraine pouvant accueillir neuf véhicules.

Les modifications au Règlement de zonage demandées ajoutent un immeuble d'appartements de faible hauteur comme utilisation supplémentaire autorisée, et comprennent une exception urbaine relative aux normes de rendement et propre à l'emplacement. Ces modifications consistent également à accroître la hauteur de bâtiment, à réduire les retraits de cour latérale et avant, à réduire les largeurs d'entrée privée et d'allée, et à accroître le retrait de cour arrière.

La demande a été examinée au regard du Plan officiel unifié (2003) et compte tenu des modifications approuvées par le Conseil et exposées dans la Modification n^o 150 au

Plan officiel (MPO 150). L'emplacement est par ailleurs visé par le Plan secondaire du chemin Richmond / Westboro.

Les Directives d'esthétique urbaine en matière d'aménagements résidentiels intercalaires de faible hauteur ont également été examinées au regard de la demande.

Après avoir examiné la *Loi sur l'aménagement du territoire* et la Déclaration de principes provinciale, le Plan officiel, le Plan secondaire du chemin Richmond / Westboro ainsi que les lignes directrices d'esthétique urbaine pertinentes, le personnel est d'avis que les modifications proposées au Règlement de zonage sont conformes à une bonne planification et sont appropriées pour l'emplacement.

Les membres du public ont été avisés et consultés conformément à la politique en la matière adoptée par le Conseil municipal pour les demandes d'aménagement. Une dizaine de personnes ont commenté la proposition, la grande majorité d'entre eux s'y opposant ou exprimant des préoccupations au sujet de points en particulier.

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

404 Eden Avenue

Owner

404 Eden Ltd.

Applicant

Daniel Boulanger, Robertson Martin Architects

Brian Casagrande, FoTenn Consultants Inc.

Architect

Daniel Boulanger, Robertson Martin Architects

Description of site and surroundings

The site is located on the west side of Eden Avenue, immediately south of Richmond Road and one block east of Churchill Avenue, in the Westboro neighbourhood.

The 656.3 square metre site, with 16.8 metres of frontage on Eden Avenue, is currently occupied by a two-storey single-detached dwelling. Surrounding uses include a four-storey mixed-use building (retail and office) along Richmond Road to the north and low-rise residential dwellings in the surrounding area to the south and east. Eden Street is a short block between Richmond Road and Lincoln Avenue containing only seven properties, all of which are currently single-detached homes.

Summary of requested Zoning By-law amendment proposal

The applicant is proposing to develop a four-storey apartment containing 13 dwelling units. An underground parking garage provides nine parking spaces, nine bicycle stalls, and a waste and refuses collection area.

The site is currently zoned R3R, Residential Third Density, Subzone R, which permits a range of residential uses including detached, semi-detached, townhomes and three unit dwellings.

The applicant is requesting an amendment to the Zoning By-law, to allow a new four-storey apartment building. The requested amendment generally include the following;

- Add apartment dwelling, low-rise as an additionally permitted use;
- Permit a total interior side yard setback of 1.5 metres, with a minimum of 1.2 metres from the southerly interior lot line and 0.3 metres from the northerly interior lot line;
- Permit a reduced front yard setback of 3.3 metres, whereas the Zoning By-law requires a minimum setback of 4.07 metres (average of the existing setbacks of the abutting lots);
- Permit a maximum building height of 12.5 metres;

- Permit a minimum driveway width of 3.0 metres, and maximum width of 4.6 metres;
- Permit a minimum aisle width (in the parking garage) of 5.5 metres;
- Increase the rear yard setback for a minimum requirement of 17.5 metres.

DISCUSSION

Public consultation

Notification and public consultation was undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications. Approximately 10 respondents commented on the proposal, with the vast majority opposed and/or expressing concerns for specific items.

Prior to submitting the application, the applicant held a public meeting on February 16, 2016. Staff did not attend.

During the application review process, Councillor Leiper and the applicant organized a public meeting after the initial comment period. The meeting was held on October 12, 2016 and approximately 15-20 individuals attended. The applicant presented an overview of the proposal and revisions in response to the initial comments. The majority of the time was used to discuss questions from members of the public. Staff attended the meeting to field questions on procedures and next steps.

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

Official Plan designation

The site is located within the General Urban Area designation as shown on Schedule B of the City's Official Plan.

Other applicable policies and guidelines

The Richmond Road/Westboro Secondary Plan in Volume 2 of the Official Plan is applicable. Within this plan, the site is located within Sector 5 – Westboro Village. The vision for this sector is directed towards the Traditional Mainstreet (Richmond Road) to encourage a mix of land uses and more pedestrian-oriented environment in developments that maintain a sense of human scale.

The Secondary Plan represents an implementation of the Richmond Road/Westboro Community Design Plan (CDP). In the CDP, the Westboro Village sector location is described as Richmond Road between Dominion/Golden Avenues and Tweedsmuir Avenue.

Also applicable to proposed development are the Urban Design Guidelines for Low-rise Infill Housing. The guidelines provide a framework to encourage quality design and infill development that has regard to public streetscapes, landscaping, building design, and parking, for example. The proposal adequately responds to the guidelines by establishing a landscaped front yard, providing parking off of a lane, proposing a design that architecturally appears as a semi-detached dwelling and introduces some ground-oriented units, as well as providing a built form and height that transition from its surroundings.

Planning Rationale

Planning Act and Provincial Policy Statement

Section 2 of the *Planning Act* outlines those land use matters that are of Provincial interest, to which all City planning decisions shall have regard. The Provincial interests that apply to this site include the appropriate location of growth and development, and the promotion of development that is designed to be sustainable to support public transit and to be oriented to pedestrians.

In addition, the *Planning Act* requires that all city planning decisions be consistent with the Provincial Policy Statement (PPS), 2014; a document that provides further policies on matters of Provincial interest related to land use development.

The recommended Zoning By-law amendment are considered consistent with the matters of Provincial interest as outlined in the *Planning Act* and are in keeping with the PPS, 2014 by promoting efficient development and intensification with a built form that supports a healthy, active community in proximity to community services and amenities.

Official Plan Policies

This application has been reviewed under the consolidated Official Plan (2003) with regard for the Council approved amendment contained within Official Plan Amendment 150 (OPA 150).

The site is designated as General Urban Area (Section 3.6.1), which permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstance. Residential intensification through infill will respond to the existing character to enhance desirable patterns and built form, while also achieving a balance of housing types and tenures.

Section 2.2.2 – Managing Growth within the Urban Area, through Policy (14), speaks to intensification outside of target areas. Opportunities for intensification will be promoted where rapid transit stations are located within 600 metres of the site. The Westboro transit station is located within an approximate 525 metre walking distance, and Dominion transitway station is slightly beyond the 600-metre radius. With additional local bus routes on Churchill Avenue and Richmond Road, the development site is well served by public transit.

Section 2.5.1 and 4.11 of the Official Plan provides policy direction for urban design and compatibility. Section 2.5.1 is broad in nature with design objectives such as defining quality spaces, ensuring safety and accessibility, respecting the character, considers adaptability, and sustainability.

Section 4.11 can be applied to individual properties and provides direction on impacts between new and existing development. The majority of the key design and compatibility items will be addressed and implemented through Site Plan Control, such as amenity area, streetscape impacts, and built form transition. The proposed zoning establishes the use (apartment dwelling, low rise) and setbacks and building height. The Site Plan Control process will address the need for quality design and further implemented elements of design and compatibility through conditions of approval.

In regards to OPA 150, there have been some key policy changes relevant to this proposal. Section 3.6.1 supports intensification in the General Urban Area where it complements the existing pattern and scale of development and planned function of the area. Emphasis is placed on the existing character to respect patterns of built form and open spaces, as well as contributing to the achievement of a balance of housing types. The building height is a maximum of four storeys. Furthermore, changes to Section 4.11 emphasize that new development will fit with the existing desirable character and planned function through the use of compatible setbacks, height and transition, and the use of quality architectural elements, colours and materials. A new policy on outdoor amenity area requires the inclusion of usable amenity areas for residents that meet the

requirements of the Zoning By-law. Impacts on adjacent residential properties will be minimized through the siting and design of new buildings.

Staff are satisfied that the requested Zoning By-law amendment for the proposed four-storey apartment building are consistent with the Official Plan and OPA 150. The proposal satisfies the intensification policies and the built form and design fit within the immediate surroundings. The built form, setbacks, and stepbacks respond to the streetscape character and provide an appropriate transition. Through the mature neighbourhoods overlay, the development was subject to a streetscape character analysis. As a result, the entire front yard will be soft landscaped, with the exception of the walkways leading directly to the main building entrance and dwelling unit at grade, the parking utilizes an existing rear lane (along the northern edge of property), and although the proposed development is for an apartment building, the architectural design appears as a semi-detached dwelling and even includes ground units facing the street with entrances at grade. These details are consistent with the dominant character of Eden Avenue.

Also, the large rear yard setback allows for amenity area at grade in compliance with the zoning by-law. The building height and stepback of the fourth storey represents an appropriate transition in height compared to the existing streetscape and planned function. The rear units have windows oriented towards the rear yard and avoid having windows that overlook neighbouring rear yards. The provided setbacks, building height, and building design are consistent with the policies for urban design and compatibility.

Secondary Plan Policies

The Richmond Road / Westboro Secondary Plan contains policies with respect to Sector 5 – Westboro Village, but given that this site is not located on the mainstreet (Richmond Road) they are not directly applicable. However, the Secondary Plan does provide relevant direction in Section 1.2 regarding the overlying objectives and principles. Intensification at the human scale that is compatible with the existing community is encouraged. Principles on intensification include preserving the scale and character of established residential neighbourhoods, minimizing and adverse impacts of intensification. The Plan also notes to consider traffic impacts on the residential side streets, and to achieve intensification by incorporating appropriate setbacks, heights and transitions in building scale and density.

Staff are satisfied that the proposal is consistent with the Secondary Plan. The subject site is on the edge of a low-rise residential neighbourhood situated in close proximity to a traditional mainstreet (Richmond Road) and rapid-transit stations (Westboro and Dominion). The building mass, setbacks and height are sensitive to the surrounding residential properties as evident by the building design with ground units, stepback of the fourth storey, reinstating a fully landscaped front yard, providing complying setbacks to abutting residential properties, and increasing the required rear yard setback. With respect to traffic, the site context results in traffic being directed to Richmond Road with minimal impacts to the balance of Eden Avenue.

Zoning Details

As detailed in Document 2, the proposed Zoning By-law amendment will re-zone the site through site specific Urban Exception [xxxx] for various performance standards, and to add an apartment dwelling, low-rise as a permitted use. The following summarizes the planning rationale for the amendment:

- 404 Eden Avenue is a residential lot on the edge of a low-rise residential neighborhood that is uniquely situated such that it abuts Traditional Mainstreet properties to the north and west, abuts a rear lane, and is located on a short segment of the street that accommodates two-way traffic on an otherwise one-way street heading north. The site is also well supported by public transit and is located within close proximity of two rapid transit stations. Given the Official Plan policies explained above, the property is suitable for intensification, and the proposal for an apartment building fits within the street character despite the balance of the properties currently being single-detached homes.
- The building mass is smaller than an as-of-right three unit dwelling. Notwithstanding this notion, it is important to highlight the compatible attributes related to the rezoning requests as compared to a three unit dwelling. The provided rear yard setback is more than double the requirement, and has been designed to satisfy the rear yard amenity area requirements. The southerly interior side yard setback complies with zoning and the majority of the building mass exceeds the minimum setback requirement. The reduced setback along Elvis Lives Lane has no adverse impacts.

- The front yard setback of 3.3 metres, whereas the street average is 4.07 metres, is appropriate given the site context. The provided setback is halfway between the existing buildings at 300 Richmond Road and 408 Eden Avenue. Furthermore, it is important to note that the front elevation does not contain any large projections, such as a porch, but rather includes a design that landscapes the entire front yard (including up to the street curb) and removes the existing asphalted driveway.
- A three unit dwelling is permitted a building height of 10.7 metres. The proposed building is 12.5 metres in height but the fourth storey has been designed to stepback from the front and southern lot line and has shifted this volume towards the north, away from the abutting residential property. From a streetscape perspective, and recognizing the elevation rises significantly as one moves south along Eden Avenue, as well as the 16 metre height of the adjacent built form along Richmond Road, the proposed height represents an appropriate transition.
- The driveway width flares to a maximum of 4.6 metres to accommodate the turn radius for vehicles entering and exiting the underground parking garage. As a matter of safety, the width is appropriate, and staff are satisfied that provided parking does not compromise the required rear yard amenity area, which is in conformity with the zoning requirements.
- The aisle width in the parking garage at the narrowest point, which occurs at structural columns, is 5.5 metres. While not ideal, vehicles will have the ability to maneuver appropriately.
- A reduced parking space length of 4.6 metres is already recognized as appropriate in the Zoning By-law, and through Site Plan Control these spaces will be labeled for small cars only.
- The recommended zoning maintains the "R3" zone so as to not introduce all uses permitted by an R4 zone, such as stacked dwelling. The details in Document 2 only introduce an apartment dwelling, low-rise as an additionally permitted use, with performance standards specific to the proposed development.

The department would like to note that a similar application on the balance of the street would likely result in a different review and planning rationale. The site does represent a unique lot in the immediate context and the proposal directly responds to the Official Plan in a consistent matter, both on intensification and more importantly the design and compatibility policies. It would be difficult to make the same planning arguments for the interior lots on Eden Avenue.

The department supports the proposed Zoning By-law amendment and is of the opinion that the proposal is consistent with the Official Plan and Richmond Road / Westboro Secondary Plan. Furthermore, the proposal is consistent with recent City-initiatives such as Infill 1 and 2, as demonstrated by satisfying the streetscape character analysis, amenity area at grade, and generous rear yard setback.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Leiper provided the following comment:

“The unfortunate proposal for 404 Eden has engendered a passionate discussion not just among residents of the street, but the broader community concerned about the City's willingness to adhere to long-term plans. While seeking a site-specific amendment to the R3 zoning, it is nonetheless an incursion of R4-type apartment zoning into the neighbourhood that will change the planning context for the community.

The Richmond Road/Westboro Secondary Plan provided an opportunity for planners to consider how inevitable development pressure south of the traditional mainstreet zone would be approved or not. It did not do so. Due apparently to resource constraints, this decade-old plan is now under pressure in multiple locations with zoning that seemingly cannot be defended in the face of LRT's imminent arrival and new Official Plan amendment. Absent defensible zoning, the area has become a planning Wild West.

The strong potential now is that swaths of Westboro – particularly north of Byron - will be changed wholesale. There is R4 zoning for much of the land north of Richmond that contemplates some of this change, but the R3 zoning to the south does not. While the City has never solicited resident input, we are concerned that approving apartment

blocks for this development will establish, de facto, a new, unconsulted vision for this part of the ward.

Approving this development in the absence of a secondary planning exercise to either confirm or propose changing the vision for the area bounded from Richmond to Byron and from Island Park Dr to Churchill is unfair to residents. As the built form changes, that will be accompanied by traffic, privacy and loss of light concerns as larger structures come to dominate the streetscapes and rear-yards. If that is to be the future for those residents who remain, the City and Council should be honest with them about it by establishing a clear planning framework for the area.

Until that is done, I respectfully ask my colleagues to deny this application.”

LEGAL IMPLICATIONS

In the event that the recommendations are adopted and the zoning by-law appealed to the Ontario Municipal Board, it is expected that a three day hearing will result. It is anticipated that the hearing could be conducted within staff resources. Should the application be refused, reasons must be provided. Were a refusal appealed to the Board, it would be necessary to retain an external planner.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

Potential financial implications are noted in the above Legal implication section. In the event that external resources are retained, funds are not available within existing resources and the expense would impact Planning, Infrastructure and Economic Development Department's operating status.

ACCESSIBILITY IMPACTS

There is no accessibility impacts associated with this report. However, it should be noted that the dwelling units on the ground could be designed for barrier-free accessibility.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

TM2 – Provide and promote infrastructure to support safe mobility choices.

HC3 – Create new affordable housing options.

APPLICATION PROCESS TIMELINE STATUS

This application 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 Site Plan Control and Building Design

Document 4 Consultation Details

Document 5 Overview Data Sheet (*previously distributed and held on file*)

CONCLUSION

The Planning, Infrastructure and Economic Development Department support the application and proposed Zoning By-law amendment. The proposed development provides intensification on a property suitable to introduce a built form that transitions well to its surroundings and incorporates a design mindful of good urban design and compatibility. The quality design, landscaping around the building, use of the laneway for access to parking, and building mass transition and scale contribute to the compatibility of the development. The semi-detached look of the apartment with ground units responds to the existing character of the street, and the density is appropriate with the site proximity to community amenities and service and access to public transit. The requested amendment represent good planning and are consistent with the Official Plan.

DISPOSITION

Office of the City Clerk and Solicitor, Legislative Services, to notify the owner, applicant, Krista O'Brien, Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76) of City Council's decision.

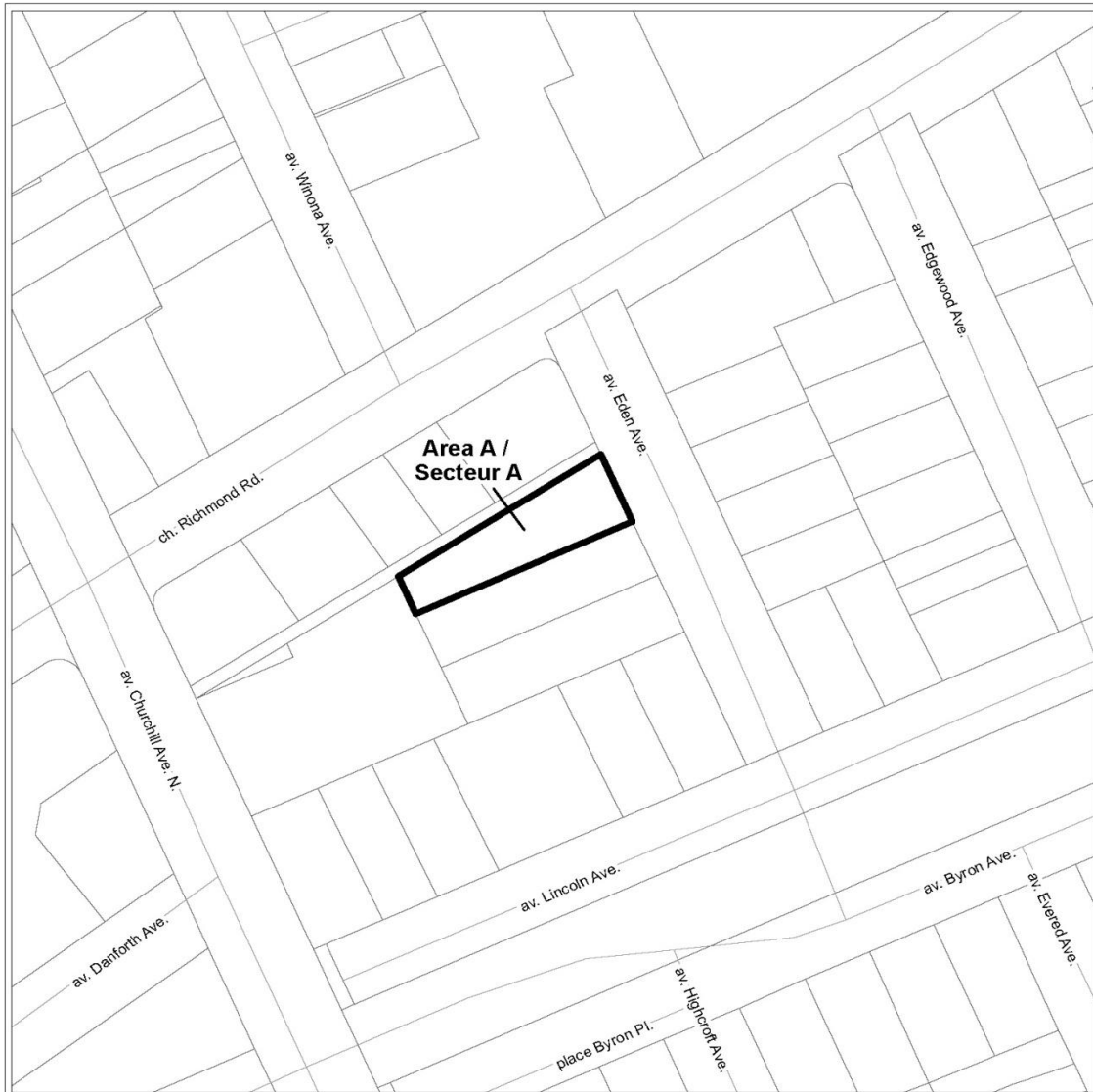
Zoning and Interpretations Unit, Planning Services to prepare the implementing by-law and forward to Legal Services.




Legal Services Department to forward the implementing by-law to City Council.

Circulation Services Unit, Planning Services to undertake the statutory notification.

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE SITE PLAN / PLAN D'EMPLACEMENT
D02-02-16-0035	16-1564-D	404 avenue Eden Avenue
I:\CO\2016\Zoning\Eden_404_V2		 Area A to be rezoned from R3R to R3R [xxxx] Le zonage du secteur A sera modifié de R3R à R3R [xxxx]
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission THIS IS NOT A PLAN OF SURVEY</small>		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)
<small>©Les données de parcelles appartiennent à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE</small>		
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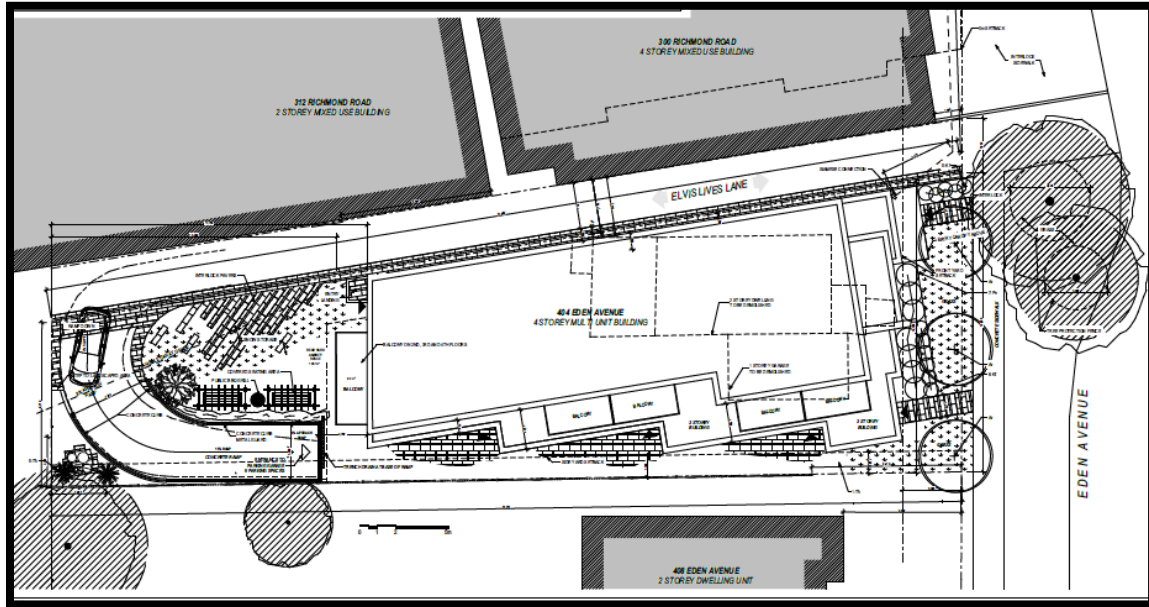
Document 2 – Details of Recommended Zoning

The proposed amendment to the City of Ottawa Zoning By-law 2008-250 for 404 Eden Avenue is as follows:

1. Rezone the lands as shown in Document 1.
2. Amend Section 239, by adding a new exception [xxxx] with provisions similar in effect to the following:
 - a. In Column III, add Apartment Dwelling, Low-rise as an additional permitted use.
 - b. In Column V, add provisions similar in effect to the following:
 - i. An Apartment Dwelling, Low-rise is subject to the following provisions:
 - Minimum required front yard setback is 3.3 metres;
 - Minimum required rear yard setback is 17.5 metres;
 - Minimum required northerly interior side yard is 0.3 metres;
 - Minimum required southerly interior side yard is 1.2 metres;
 - Maximum building height is 12.5 meters;
 - The fourth storey, excluding balcony projections, is required to stepback at least 0.75 metres from the front and southerly walls of the building above the third storey;
 - Minimum aisle width in a parking garage is 5.5 metres;
 - A driveway leading to a parking garage is permitted a minimum width of 3.0 metres, and a maximum with of 4.6 metres; and
 - Up to three parking spaces (not including visitor) may be reduced to a length of 4.6 metres.

Document 3 – Site Plan, Building Design, and Context

Site Plan



Building Design



Streetscape context with respect to building height



Looking north along Eden Avenue towards Richmond Road



Document 4 – Consultation Details

Notification and Consultation Process

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

Two public meetings were also held in the community.

Prior to submitting the applications, the applicant held a public meeting on February 16, 2016. Staff did not attend.

During the application review process, Councillor Leiper and the applicant organized a public meeting after the initial comment period. The meeting was held on October 12, 2016 and approximately 15-20 individuals attended. The applicant presented an overview of the proposal and revisions in response to the initial comments. The majority of the time was used to discuss questions from members of the public. Staff attended the meeting to field any questions on procedure and next steps.

Approximately 10 individuals commented on the original proposal, with the vast majority opposed and/or expressing concerns. A few people requested to only be informed of the decision and provided no comment otherwise.

Additionally, the department provided an update on November 21, 2016 via email and mail-out, including updates to ottawa.ca/devapps to inform members of the public of revisions to the proposal and updates to the requested zoning details. At the time of writing this report no additional comments were submitted.

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

Comment:

Access and Parking

- Elvis Lives Lane is often blocked by delivery trucks and/or garbage from the businesses along Richmond Road. How will this function?
- A 10 foot wide lane is not a proper form of access.

- The 13 units will have visitors. Where will they park?

Response:

Elvis Lives Lane is City-owned and is recognized as an open and travelled lane. It is acknowledged that portions of the lane are routinely encumbered by items such as garbage bins, but this generally occurs west of the development site. The lane is of adequate size for passage (vehicles, pedestrians, and cyclist) and through the application for Site Plan Control the functional travel width will be increased to over 3.0 metres. The development requires a total of one visitor parking space, which is to be provided in the underground garage in accordance with the Zoning By-law. Transportation staff have reviewed the applicants submission, including the Transportation Overview and subsequent memo's and are satisfied that use of Elvis Lives Lane and site development are appropriate.

Number of Units/Overall Density

- Currently, there are only seven families living on Eden Avenue and the proposal is to develop 13 units. This will have implications on the noise and traffic on Eden Avenue.
- The overall building is too big for the lot.
- A building of this size with reduced setbacks is not appropriate.

Response:

The site is located on a segment of Eden Avenue that is a two-street and all vehicles entering or exiting the site will be directed towards Richmond Road. As detailed in the main report, the proposed development is consistent with the Official Plan, complies with the streetscape character analysis, and represents a built form that is compatible with the existing surrounding and planned function for the area. The planning rationale for the zoning requests are outlined in the main report.

Precedent Setting

- If the request to re-zone to R4 is permitted, this will set a precedent for other lots in low-rise residential areas to re-zoned to R4.

Response:

While the department can appreciate the public concern for precedence, the development site context is viewed differently compared to the balance of Eden Avenue. The property abuts a lane and is surrounded by properties fronting on Richmond Road and Churchill Avenue that are located within a Traditional Mainstreet zone. The overall building height, mass and density represent an appropriate transition to the surrounding low-rise residential neighbourhood. Furthermore, it is important to note that all of the properties located on Eden Avenue are zoned R3R and could redevelop with three-unit dwellings as-of-right. The properties on the west side of Eden Avenue could build a three-unit dwelling in conformity with the zoning that results in a building mass substantially larger than the proposed apartment. From a policy context, this is recognized as the planned function.

Front Yard Setback

- The property at 300 Richmond Road should not be used as a precedent for establishing the front yard setback.
- The front yard setback for 404 Eden should respect the existing front yard setback for the residential buildings along Eden Avenue.

Response:

The average front yard setback for the existing homes on Eden Avenue is 4.07 metres. The proposed development provides a front yard setback of 3.3 metres. Given the site context and relationship of the street presence with 300 Richmond Road located on the property line, the minimal 0.77 metres (2.5 ft) difference will have no adverse impacts. The setback is exactly halfway between the built form of 300 Richmond Road and 408 Eden Avenue, which will result in an appropriate transition of pedestrian experience on the street. Additionally, the existing driveway will be replaced with landscaping.

Comment:

Soil Instability and Impacts from Construction

- There is shallow bedrock in the area. The blasting for the underground parking garage could significantly damage the nearby homes.

Response:

Staff reviewed the submitted Geotechnical Investigations and had no concerns with the report. The applicant advises that blasting is not the recommended strategy for this development, but regardless, any approval for Site Plan Control will contain a blasting condition that requires the proper procedures to be followed for the protection of surrounding properties (if blasting occurs).

Comment:

Loss of Mature Trees

- The building occupies the majority of the width of the property and will result in a loss of trees.

Response:

As a result of the proposed development and site functionality, such as access to the parking, it was not possible to retain any of the trees on the subject site. Any loss of mature trees will be those wholly contained within the applicant's property only. However, through the application for Site Plan Control additional landscaping and tree plantings will be pursued.

Community Organization Comments and Responses

Staff have not received any comments from a registered community group.