

3. ZONING BY-LAW AMENDMENT – 124 BATTERSEA CRESCENT
MODIFICATION AU RÈGLEMENT DE ZONAGE – 124, CROISSANT
BATTERSEA

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for 124 Battersea Crescent to remove the maximum density provision as detailed in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil d'approuver une modification au Règlement de zonage 2008-250 relative au 124, croissant Battersea, ayant pour but de retirer la disposition concernant la densité maximale, comme le précise le document 2.

DOCUMENTATION/DOCUMENTATION

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated 17 July 2017 (ACS2017-PIE-PS-0100)

Rapport de la Directrice, Service de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 17 juillet 2017 (ACS2017-PIE-PS-0100)
2. Extract of draft Minutes, Planning Committee, 22 August 2017

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 22 août 2017
3. Summary of Written and Oral Submissions, to be issued separately with the Council agenda for its meeting of 27 September 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 27 septembre 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
August 22, 2017 / 22 août 2017**

**and Council / et au Conseil
September 13, 2017 / 13 septembre 2017**

**Submitted on July 17, 2017
Soumis le 17 juillet 2017**

**Submitted by
Soumis par::**

**Lee Ann Snedden,
Director / Directrice**

Planning Services / Service 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: KANATA NORTH / KANATA
NORD (4)**

File Number: ACS2017-PIE-PS-0100

SUBJECT: Zoning By-law Amendment – 124 Battersea Crescent

OBJET: Modification au Règlement de zonage – 124, croissant Battersea

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 124 Battersea Crescent to remove the maximum density provision 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 13 September 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 relative au 124, croissant Battersea, ayant pour but de retirer la disposition concernant la densité maximale, 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 de l'avocat général et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes du projet de loi 73 », à la réunion du Conseil municipal prévue le 13 septembre 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.

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

124 Battersea Crescent

Owner

Brigil (3223701 Canada Inc.)

Applicant

Novatech Engineers Planners and Landscape Architects

Description of site and surroundings

The site is located on the north side of Battersea Crescent, at the southwest corner of the intersection of Kanata Avenue and the Richardson Side Road recreational pathway in the Heritage Hills subdivision. The site is 1.38 hectares in size with 77.4 metres of frontage on Battersea Crescent.

Surrounding land uses include the Broughton Park and townhouses immediately to the west of the site, townhouses on the south side of Battersea Crescent, and detached dwellings in the Richardson Ridge subdivision to the north, separated from the site by the Richardson Side Road recreational pathway.

The site is currently occupied by two three-storey condominium apartment buildings containing 12 and 16 units, together with an amenity building containing a garbage area, storage lockers and a second storey meeting space. In addition, a four-storey 79-unit apartment building with underground parking garage is currently under construction in the portion of the site adjacent to Kanata Avenue. Parking for the existing development is provided through a combination of underground and surface parking. There is a significant grade difference on the site with a large retaining wall defining the two sections: the upper portion of the site occupied by the smaller buildings and the lower portion occupied by the large apartment building. Two accesses are provided, one from Battersea Crescent serving the two smaller apartments and a second access from Kanata Avenue, serving the larger apartment building on the lower portion of the site. The northerly portion of the site will accommodate the final phase of the development and is currently vacant. Pathway connections are provided to Kanata Avenue, the Richardson Side Road recreational pathway to the north, and Battersea Crescent.

Summary of proposed Zoning By-law Amendment

The site is currently zoned Residential Fourth Density Subzone Z, exception 1203 (R4Z [1203]). The R4Z zone permits stacked units and low-rise apartment buildings up to four storeys in height, while Exception 1203 establishes site-specific provisions. Among the site-specific provisions are a maximum building height of 19 metres, maximum lot coverage of 55 per cent, reduction of landscaped space requirements and a maximum density of 100 dwelling units per hectare.

The proponent is requesting a minor Zoning By-law amendment to remove the provision specifying a maximum density of 100 dwelling units per hectare.

The applicant submitted concurrent Zoning By-law amendment and Site Plan Control applications to permit construction of the final development phase in the vacant portion of the site immediately south of the Richardson Side Road recreational pathway. The proposal is for a four-storey 79-unit apartment building with two levels of underground parking.

Brief history of site

The property is a block on the plan of subdivision registered in 2010 for the Broughton lands, now known as Heritage Hills. The zoning for the subdivision was established in 2006 and this site was zoned R4Z[1203] to permit medium density development in the form of stacked units and low-rise apartment buildings. The maximum density provision in Exception 1203 was established to address potential sanitary capacity issues related to the Signature Ridge Pumping station and trunk sewer that existed at that time.

The original site plan for the property, approved in January 2013, proposed eight 3.5-storey apartment buildings containing a total of 120 units, surrounding a surface parking lot for 168 vehicles in the centre of the site. The grade difference on the site necessitated that the parking lot be split between two levels by a retaining wall. Two private streets, Kirkland Private and Earlton Private, were to provide access from Battersea Crescent. The condominium apartment development also included a community building containing garbage storage, lockers, and an amenity space with a kitchen and small gym. Two of the apartment buildings have been completed and occupied.

A revised site plan application was submitted in September 2015 to modify the proposal to permit a four-storey 79-unit apartment building with 59 underground parking spaces. The revised site plan application was approved in October 2016 and the building is currently under construction.

The most recent site plan control application proposes construction of a similar four-storey 79-unit apartment building with an underground parking garage in the vacant northwest corner of the site adjacent to the Richardson Road recreational pathway. The proposal required a minor Zoning By-law amendment to eliminate the provision specifying a maximum density of 100 units per hectare for the subject property. With a site area of 1.32 hectares, 132 apartment units would be permitted under the current exception, while the development proposal under consideration puts the total at 186 units.

DISCUSSION

Public consultation

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

The proponent originally requested two site-specific amendments through this application: removal of the maximum density provision imposed by Exception 1203, and reduction of the minimum parking requirement for resident parking from 1.2 parking spaces per unit to 1.0 parking space per dwelling unit.

A total of 41 individuals provided comments on the proposal through the notification process. A petition with 269 signatures was also submitted in opposition to the proposal. Residents expressed concerns regarding unit type, building height, and shortage of parking.

Since the initial submission, revisions have been made to the proposal to address public concerns regarding the reduction of parking. An additional level of underground parking has been incorporated into the proposed apartment building, allowing the development to satisfy current by-law requirements for both resident and visitor parking.

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

Policy and Planning Rationale

Official Plan designation

Schedule B of the Official Plan designates the property as General Urban Area, which permits a full range of residential uses in order to meet the needs of all ages, incomes and life circumstances. Residential uses are permitted in combination with conveniently located retail, leisure, and institutional uses to facilitate complete and sustainable communities. The proposed Zoning By-law amendment is consistent with the goals, objectives and policies of the General Urban Area designation.

The application has been reviewed under Official Plan Amendment 150, but does not rely specifically upon any of the amendments introduced by it.

Section 2.5.1 of the Official Plan sets out Council's strategic direction with respect to growth, how to build liveable communities and how to introduce new development into existing areas such that they are compatible. The Official Plan supports infill development as it complements existing areas and contributes to their long-term vitality, and directs growth to established areas to maximize use of land that is already serviced, accessible and close to existing amenities.

Section 4.11 speaks to complementing the existing pattern and scale of development and planned function of the area, and to the form of intensification. New development proposed in established neighbourhoods will be designed to complement the area's pattern of built form and contribute to achieving a balance of housing types and tenures to provide a full range of housing types.

Other applicable policies and guidelines

Urban Design Guidelines for Low-rise Infill Housing

Approved by Council in May 2012, the Urban Design Guidelines for Low-rise Infill Housing are intended as a basic framework for the layout, massing and relationship of infill buildings to their neighbours. The guidelines provide guidance on achieving quality design with regard to streetscape, landscape elements, building design, parking and servicing.

Urban Design Review Panel

The property is not within a Design Priority Area and is therefore not subject to the Urban Design Review Panel process.

Planning Rationale

This minor Zoning By-law amendment eliminates the provision specifying a maximum density of 100 units per hectare for the subject property. A total of 132 apartment units would be permitted under the current exception, while the development proposal under consideration would bring the number to 186 units. The request to permit the additional units has been assessed in light of applicable policies.

Compatibility

The proposed Zoning By-law amendment was evaluated in accordance with the urban design and compatibility policies in Section 4.11 of the Official Plan. The proposal is consistent with the design and compatibility objectives detailed in this section. Such considerations as traffic, adequate parking, building design, massing and scale, landscaping, and outdoor amenity area have all been satisfactorily addressed through the site plan to ensure the intent of the policies are met. The proposal satisfies all relevant policies of the Official Plan.

The current R4 zoning of the site permits four-storey buildings as of right, so a building of identical height and massing is permitted without the minor zoning amendment requested. Only the number of units permitted within the building is affected by the removal of the maximum density provision in Exception 1203. The proposed apartment building satisfies all performance standards of the Zoning By-law with respect to building height, yard setbacks, lot coverage, amenity area, landscaped space and provision of resident and visitor parking. The building is compatible with the existing development and does not cause any undue adverse impacts. The proposed building is located in the northwest corner of the site and is not directly abutting any residential properties. The building backs onto the Richardson Side Road recreational pathway on its northerly property line and Broughton Park along its easterly property line. The building will incorporate high quality materials and attractive elevations.

Parking

Concerns regarding insufficient parking were raised by the community at the time of the initial circulation, but the proposal has been modified so that parking for the proposal will be provided in accordance with the Zoning By-law requirements. There are a total of 260 parking spaces on the site, including 223 spaces for resident parking to fulfill the requirement for 1.2 parking spaces per unit. The spaces are primarily located in the underground parking garages of the two apartment buildings along with a few surface parking spaces. A total of 37 visitor parking spaces are provided, satisfying the by-law requirement of 0.2 spaces per unit. All visitor parking spaces will be in the surface parking lot, with the spaces distributed between the upper and lower levels of the parking lot for accessibility and convenience. The site plan control agreement specifies that all visitor parking spaces be identified with "Visitor Parking Only" signs.

Transportation

A Transportation Impact Study was prepared in support of the Zoning By-law amendment and Site Plan Control applications and no issues were identified. The capacity of existing streets and nearby intersections is sufficient to safely accommodate the additional traffic into the local road network. Some minor road modifications may be required on Kanata Avenue in the vicinity of the site entrance and Richardson Side Road. This is being resolved through the Site Plan Control process.

Servicing

The maximum density provision of Exception 1203 was established at the time of the zoning for the Broughton subdivision in 2006 to address potential sanitary capacity issues. Since that time, upgrades to the Signature Ridge Pumping station and trunk sewer have been implemented, providing sufficient capacity for the entire Heritage Hills and Richardson Ridge subdivisions. The maximum density provision is therefore no longer required from a servicing perspective.

A Servicing and Stormwater Management Report was submitted in support of the application, to address the servicing needs for the site. The current infrastructure has sufficient capacity to handle the proposed development and all matters relating to site servicing have been addressed in a satisfactory manner.

All detailed site-specific issues relating to matters such as site and parking lot layout, landscaping and building elevations are being addressed through the concurrent Site Plan Control application.

Provincial Policy Statement

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

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Wilkinson is aware of the application and the staff recommendation.

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendations contained in the report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with the report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

The new buildings will be required to meet the accessibility criteria contained within the Ontario Building Code. Depending on the timing of construction, the *Accessibility for Ontarians with Disabilities Act (AODA)* requirements for site design may also apply, and will be reviewed at the time of the Site Plan Control application.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

C1 – Contribute to the improvement of the quality of life for Ottawa residents

EP3 – Support growth of local economy

ES1 – Support an environmentally sustainable Ottawa.

HC3 – Create new and affordable housing.

APPLICATION PROCESS TIMELINE STATUS

This application was processed by the "On Time Decision Date" established for the processing of Zoning By-law Amendment applications. The application was on hold for several months while the proponent revised the proposal to address staff comments.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Site Plan

Document 5 Building Elevations

Document 6 Apartment Rendering

CONCLUSION

The Planning, Infrastructure and Economic Development Department is satisfied that the proposed development balances the need for intensification as supported in the Official Plan with compatibility considerations. The department has reviewed the site design, adequacy of services, and transportation impact and has found all aspects of the proposal to be acceptable. In conclusion, staff recommend that this Zoning By-law amendment be approved.

DISPOSITION

Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

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

Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

Document 1 – Location Map

For an interactive zoning map of Ottawa visit geoOttawa.



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 124 Battersea Crescent is to amend Exception [1203] by deleting from Column V the text “maximum density 100 dwelling units /hectares”.

Document 3 – Consultation Details

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by Council for Zoning By-law amendments. Written comments were submitted by 41 members of the public and a 269-signature petition was submitted in opposition to the proposal. The concerns and responses are summarized below:

Building Type and Height

The proposed four-storey building is incompatible with the existing character of the neighbourhood.

The proposed building will restrict views, cause shadowing and reduce privacy of houses on Grainstone Crescent.

Response:

A four storey apartment building is permitted by the current zoning, so there is no change proposed to the building height or type of units. A building of the same height and size can be constructed without this minor zoning amendment, and only the number of units in the building is under consideration.

Insufficient Parking

Insufficient parking for the proposed development will cause spillover parking on Battersea Crescent and Huntsville Drive.

Apartment visitors parking nearby will cause streets become narrower due to the excess on-street parking, creating safety issues for pedestrians, cyclists, and residents.

Response:

The development proposal has been modified since the initial submission was circulated to area residents. An additional level of underground parking has been added to the proposed building so that the proposal now conforms to current parking requirements set out in By-law 2008-250 for both resident and visitor parking: 1.2 parking spaces per unit will be provided for resident parking and 0.2 spaces will be provided for visitor parking.

Traffic

The development will cause additional traffic on Battersea Crescent and Huntsville Drive, resulting in congestion on local streets.

Residents turning into or out of the site from Kanata Avenue will make the street more dangerous and visibility will be impeded.

Response:

A Traffic Impact Study was prepared in support of the Zoning By-law amendment and Site Plan Control applications. No issues were identified and the capacity of existing streets and nearby intersections is sufficient to safely accommodate the additional traffic into the local road network. Some minor road modifications may be required on Kanata Avenue in the vicinity of the site entrance and Richardson Side Road. This is being resolved through the Site Plan Control process.

Servicing Demand

The density cap was implemented because infrastructure servicing for the neighbourhood was insufficient to handle more units.

Response:

The maximum density provision was established at the time of the zoning for the entire subdivision in 2006 to address potential sanitary capacity issues. Since that time, upgrades to the Signature Ridge Pumping station and trunk sewer have been implemented, providing sufficient capacity for both the entire Heritage Hills and Richardson Ridge subdivisions. The proposed increase in number of units permitted for the Battersea development is negligible.

A Servicing and Stormwater Management Report was submitted in support of the application, to address the servicing needs for the site. The current infrastructure has sufficient capacity to handle the proposed development and all matters relating to site servicing have been addressed in a satisfactory manner.

Density of Development

Residents chose to live in a low density community and it is inappropriate to have a high density development such as an apartment complex nearby.

Local resources such as schools, parks and sports facilities will be overextended by the additional population from this development.

Response:

The site has been zoned since 2006 to permit medium density development in the form of apartment buildings, so the proposal is in keeping with what was intended. The minor increase of less than 50 units that will be permitted by removing the maximum density provision is insignificant in relation to growth that is occurring nearby, and area amenities are capable of handling the proposed development.

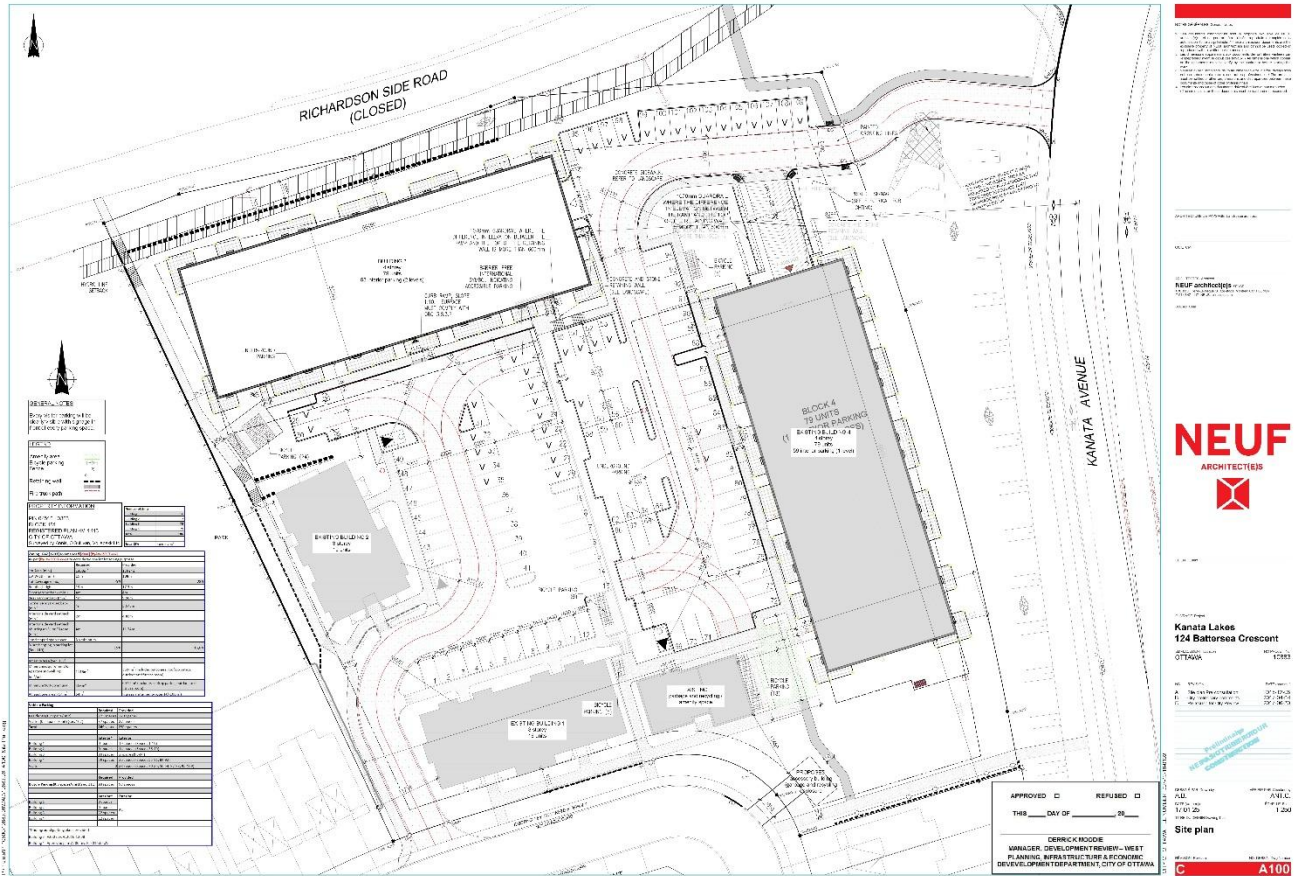
Property Values

The development will be rental apartments which will have increased noise, nuisance and crime, thereby negatively impacting our property values.

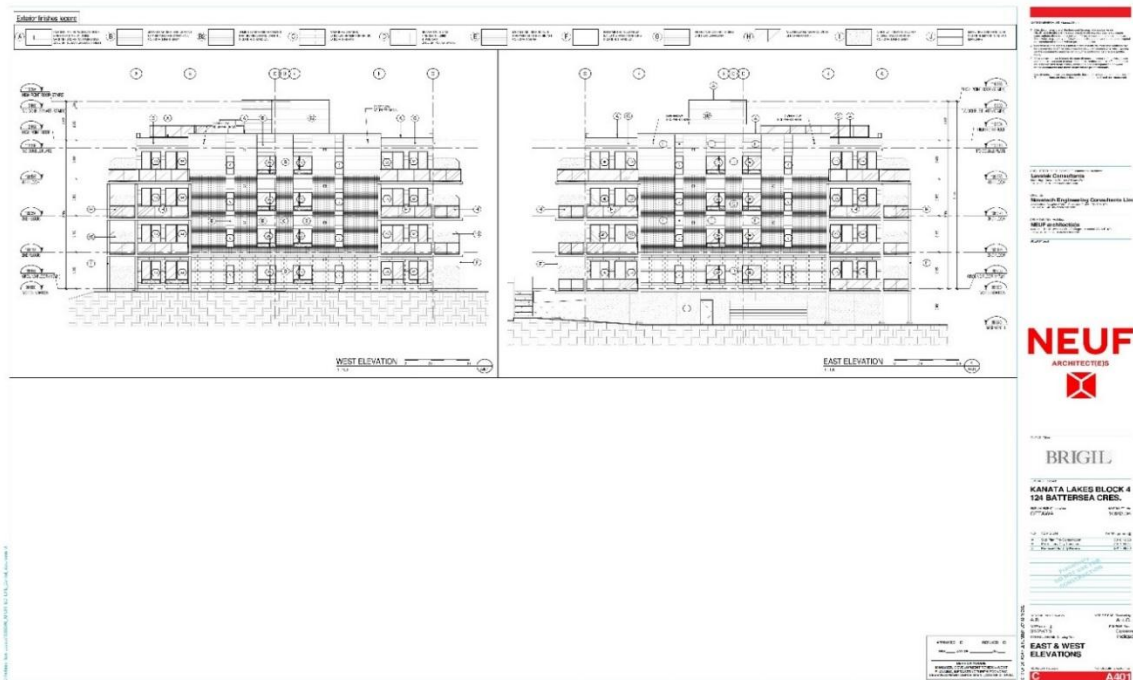
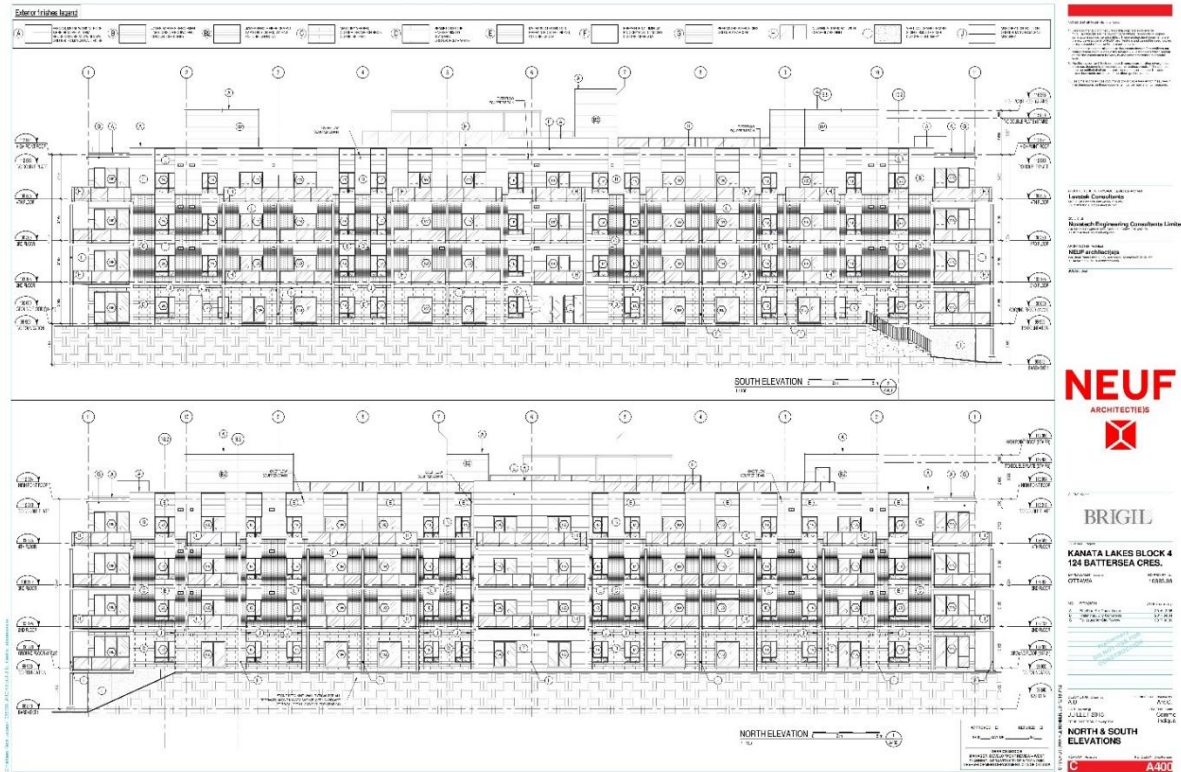
Response:

Apartment units are permitted by the current zoning and the tenure of the units (ownership vs rental) is not a factor in the consideration of zoning by-law amendments.

Document 4 – Proposed Site Pla



Document 5 – Proposed Elevations



Document 6 – Apartment Rendering

