

<p>5. ZONING BY-LAW AMENDMENT – 47 HAVELOCK STREET</p> <p>MODIFICATION AU RÈGLEMENT DE ZONAGE – 47, RUE HAVELOCK</p>
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COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for 47 Havelock Street 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 visant le 47, rue Havelock, 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 10 March 2017 (ACS2017-PIE-PS-0040)

Rapport de la Directrice par intérim, Services de la planification, Service de planification, d'Infrastructure et de Développement économique daté le 10 mars 2017 (ACS2017-PIE-PS-0040)
2. Extract of draft Minutes, Planning Committee, 28 March 2017.

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 28 mars 2017
3. Summary of Written and Oral Submissions, to be issued separately with the Council agenda for its meeting of 26 April 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 26 avril 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
March 28, 2017 / 28 mars 2017**

**and Council / et au Conseil
April 12, 2017 / 12 avril 2017**

**Submitted on March 10, 2017
Soumis le 10 mars 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 / Direction
générale de la planification, de l'infrastructure et du développement économique**

Contact Person / Personne ressource:

**Melissa Jort-Conway, Planner / Urbaniste, Development Review Central / Examen
des demandes d'aménagement centrale
(613) 580-2424, 16187, Melissa.Jort-Conway@ottawa.ca**

Ward: CAPITAL (17) / CAPITALE (17)

File Number: ACS2017-PIE-PS-0040

SUBJECT: Zoning By-law Amendment – 47 Havelock Street

OBJET: Modification au Règlement de zonage – 47, rue Havelock

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 47 Havelock Street 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 12 April 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 visant le 47, rue Havelock, 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 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 12 avril 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

This report recommends approval of a proposed Zoning By-law amendment for 47 Havelock Street in Capital Ward. While the proposed low rise apartment building is a permitted use in the Residential Fourth Density (R4T) zone, relief is required from a number of performance standards in order to accommodate the proposed development.

The proposed amendment will add a site-specific Urban Exception to performance standards for a slight increase in building height, reduced rear and side yard setbacks, reduced parking and parking space dimensions, and reduced amenity area and landscaped area requirements.

The application has been reviewed against the Official Plan as well as the Council-approved amendment contained within Official Plan Amendment 150. The site is also subject to the Old Ottawa East Secondary Plan. The Urban Design Guidelines for Low-rise Infill Housing were also reviewed.

Upon review of the policies applicable to the site, Staff have determined that the application is also consistent with the direction outlined in the *Planning Act* and the Provincial Policy Statement (2014). Staff therefore recommend approval of the Zoning By-law amendment as it represents good planning.

Notification and public consultation was undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications. Approximately 25 respondents commented on the proposal with the majority opposed and raising concerns related to on street parking, traffic and the number of units proposed.

RÉSUMÉ

Le présent rapport recommande d'approuver une modification proposée au Règlement de zonage visant le 47, rue Havelock, dans le quartier Capitale. Bien qu'un immeuble d'appartements de faible hauteur constitue une utilisation autorisée dans la Zone résidentielle de densité 4 (R4T), une dispense doit être accordée pour certaines normes de rendement afin de permettre l'aménagement proposé.

La modification proposée consistera à ajouter pour cet emplacement une exception urbaine de normes de rendement afin d'accroître légèrement la hauteur de bâtiment, de réduire les retraits de cour arrière et latérale, de réduire le nombre de places de stationnement et la dimension de ces places, et de réduire les exigences relatives aux aires d'agrément et paysagées.

La demande a été examinée au regard des dispositions du Plan officiel et de la modification approuvée par le Conseil contenue dans la Modification 150 au Plan officiel. L'emplacement est également visé par le Plan secondaire du vieil Ottawa-Est. Les Lignes directrices en matière d'aménagements résidentiels intercalaires de faible hauteur ont par ailleurs été consultées.

Après examen des politiques applicables à l'emplacement, le personnel a déterminé que la demande est également conforme aux orientations de la *Loi sur l'aménagement du territoire* et de la Déclaration de principes provinciale (2014). Le personnel

recommande par conséquent l'approbation de la modification au Règlement de zonage, qui représente une bonne mesure de planification.

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. Environ 25 personnes ont commenté la proposition, la majorité d'entre elles pour s'y opposer et manifester leurs préoccupations au sujet du stationnement sur rue, de la circulation et du nombre d'unités d'habitation proposées.

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

47 Havelock Street

Owner

2456658 Ontario Inc.

Applicant

Jakub Ulak, Surface Developments

Architect

Jakub Ulak, Surface Developments

Description of site and surroundings

The site is located at the corner of Greenfield Avenue and Havelock Street in the neighbourhood of Old Ottawa East. The lot is triangular in shape, comprising an area of 655 square metres. The site is currently occupied by a single detached residential dwelling and driveway. The front lot line abuts Havelock Street. The frontage along Greenfield Avenue represents the corner side lot line. For zoning purposes, the lot is classified as a corner lot.

The area consists of a mix of residential dwelling types. To the south and west of the site along Havelock Street, the area contains both single-detached and semi-detached

residential dwellings. Further west of Havelock Street and closer to Main Street are two low-rise apartment buildings.

To the north of the site, between Greenfield Avenue and Colonel By Drive, there is a residential complex comprising townhomes and mid-rise apartment buildings. Further east along Havelock Street, the area contains a mixture of low-rise condominium and apartment dwellings, semi-detached dwellings, single-detached dwellings and townhouses.

Summary of requested Zoning By-law amendment proposal

The applicant is requesting relief from a number of provisions of the Zoning By-law in order to construct a new four-storey apartment building, comprising 23 dwelling units. The site is zoned R4T, Residential Fourth Density, Subzone T, which permits the proposed low-rise apartment building. The proposed amendment will add an Urban Exception for performance standards that will be specific to the site.

The following is a summary of the requested amendments:

- Permit an increase in the maximum height limit to 14.6 metres, whereas the Zoning By-law requires 14.5 metres;
- Permit alternative rear and interior side yard setbacks to those introduced through the Infill II study and which require a minimum yard area abutting these lot lines;
- Permit a reduced corner side yard setback of 1.5 metres. The required 3-metre setback is to be absorbed through the requirement for a road widening along Greenfield Avenue (an arterial street);
- Permit a reduction in the required number of visitor parking spaces, from two to one;
- Permit all resident parking spaces to have a reduced length of 4.6 metres and some spaces to have a reduced width of 2.4 metres;
- Permit a reduced aisle width within a parking garage from 6.7 metres to 6 metres;
- Permit an increase in the allowable walkway width from 1.8 metres to 5.2 metres (along Greenfield Avenue);

- Permit hard landscaping in the required front and corner side yard;
- Permit private amenity areas in the front yard at grade along Havelock Street;
- Permit the required communal amenity area to be other than at grade, landscaped and abutting the rear lot line; and
- Relief from the Section 139 of the Zoning By-law (Mature Neighbourhoods By-law).

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications. Approximately 25 respondents commented on the proposal with the majority opposed and expressing concerns.

During the application review process, Councillor Chernushenko and the applicant organized a public meeting during the comment period. The meeting was held on April 21, 2015. The applicant presented an overview of the proposal and to answer questions from members of the public. Staff did not attend the meeting.

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

Official Plan designation

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

Other applicable policies and guidelines

The Old Ottawa East Secondary Plan is applicable to the site.

The Secondary Plan represents an implementation of the Old Ottawa East Community Design Plan. The site is designated "Residential Low Rise", which limits the height of buildings to low rise with a maximum height of four storeys.

The Urban Design Guidelines for Low-Rise Infill Housing provide design guidance on the treatment of streetscapes, landscaping, building design, and parking. The proposal upholds the guidelines by providing a built form which is in keeping with the height and

massing of its surroundings, a landscaped front yard, and offering ground-oriented units with openings onto the street.

Planning rationale

Planning Act

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 directing where growth and development should occur, that a range of housing types be provided to communities, as well as the use of active transportation modes.

The *Planning Act* also requires that all City planning decisions be consistent with the Provincial Policy Statement (PPS), a document that provides policy direction on matters of Provincial interest related to land use development.

Provincial Policy Statement

The proposal is subject to the policies contained within the 2014 Provincial Policy Statement (PPS). Staff have reviewed this proposal and have determined that the proposed Zoning By-law amendment is consistent with the matters of Provincial interest as outlined in the PPS. The proposal is in keeping with the PPS by promoting efficient development and intensification which takes into account existing building stock and in an area where appropriate levels of infrastructure are available and which supports alternative transportation modes.

Official Plan Policies

The application was reviewed under the 2003 Consolidated Official Plan while having regard for the Council approved amendments contained within Official Plan Amendment 150.

The policy direction in the Official Plan is to promote an efficient land use pattern within the Urban Area through intensification of locations that are strategically aligned with the transportation network, particularly the rapid transit network. The site is designated General Urban Area within the Official Plan. Residential intensification opportunities in the General Urban Area are supported within interior portions of stable low-rise neighbourhoods where it will enhance and complement the desirable characteristics of

the neighbourhood and is designed to complement the area's pattern of built form and open spaces.

The Official Plan requires that intensification proposals demonstrate conformity with the design objectives contained in Section 2.5.1 Urban Design and Compatibility and the compatibility criteria contained in Section 4.11. New development is compatible when it is well integrated into its setting while also allowing the built form to evolve through architectural style. The relationship between the building and the street is also important for ensuring the character of the public realm is maintained.

Section 4.11 provides specific guidance for measuring compatibility. The compatibility criteria applicable to the site are summarized below:

- **Vehicular access:** Underground parking will be provided via a driveway on Havelock Street.
- **Parking requirements:** A total of nine spaces are proposed; including one visitor parking space, where as two spaces for visitors is required under the Zoning By-law. However, given that the site is situated just outside the 600 metre radius from a Rapid Transit Station (Campus) and is within 275 metres of a public transit route, the department considers this reduction appropriate.
- **Outdoor Amenity Areas:** The site neither overlooks nor abuts any rear yards. The site only abuts one property on the east side which is occupied by a three-storey condominium building. Amenity areas on the this property will not be adversely affected by the proposed development as the condominium's balconies face away from the site toward Greenfield Avenue. In addition, the proposed rooftop amenity area will be oriented toward the northern portion of the building and away from Havelock Street. Three ground-oriented units are to be located along the Havelock Street frontage, each having a private entrance and small outdoor amenity area acting as a front yard. These private amenity areas will be sunken and fenced.
- **Lighting:** No lighting will glare or spillover onto adjacent properties.
- **Sunlight:** There will be no significant shadow impacts on the adjacent property.
- **Microclimate:** There will be an interior side yard setback of 1.5 metres, which will contain a building exit with a raised planter bed, a walkway and stairs down towards Greenfield Avenue. No undue microclimatic conditions are anticipated.

Staff are satisfied that the proposal is compatible with the area's built form and context. The proposal does not deviate from the building height, massing and scale permitted by the zoning of adjacent residential properties. The prevailing patterns of side and rear yard setbacks and open spaces of adjacent residential properties in the immediate area are not impacted by the proposed development.

Official Plan Amendment 150

Official Plan Amendment 150 made modifications to the General Urban Area policies found in Section 3.6.1 by adding more specific limitations on building height. In addition, Section 4.11 (Urban Design and Compatible Development) was modified to set the stage for requiring high quality urban design as part of new development in the city. This section has been reviewed and is summarized below:

- Design Brief: New requirements were added that a Design Brief be submitted with development applications.
 - The required elements of a Design Brief were integrated into the Planning Rationale for the site.
- Building Design: Proponents are to demonstrate how their development fits within the existing desirable character and planned function by considering setbacks, height, transition, façade and roofline articulation, colours and materials, architectural elements including windows, doors, and projections, pre and post-construction grades and incorporating common elements and details of the area. Consideration is also to be given to the design and location of entrances along streets, and architectural design features for corner developments.
 - The building is within the permitted height limit of four storeys.
 - A prominent corner design emphasizes a sharp building edge, which architecturally responds to the lot's unique orientation and visibility and giving the building a flat appearance.
 - The front and corner facades are oriented to the abutting streets with architectural details including off-set window pattern, wood canopies, and stone cladding at the ground level.

- Lighter stucco is proposed, which softens the prominence of the upper storeys.
- The building façades respond appropriately to the street each one fronts. The main entrance is located on the Greenfield Avenue side, which responds well to the arterial character of the street. The Havelock façade respects the two and three storey single, semi and multi-unit buildings on this side by introducing three private entrances on the street to break up the façade, giving the appearance of front porches within the building.
- The main entrance is accented with a fully glazed wall and prominent wood canopy, landscaping and planters.
- The ground oriented units along Havelock Street are articulated using dark cladding, wood canopies and wood fencing around the private amenity areas.
- Massing and Scale: Massing and scale describes the form of the building, how tall it is, how much of the lot it occupies and how it is positioned in relation to the street.
 - The development complements the scale of the surrounding buildings, which range from two to three storeys including townhomes and apartment buildings. The massing is appropriate for the site given its unique location and is broken up by incorporating a variety of building materials.
- Outdoor Amenity Areas: New development is required to minimize undesirable impacts on existing private amenity space of adjacent residential units through the siting and design of new buildings.
 - The site neither overlooks nor abuts any rear yards. The rooftop amenity area has been oriented to the north end of the building, away from the adjacent property on Havelock Street and the front yards across Havelock Street.

The proposal, therefore, in keeping with the policy direction, is set out in Official Plan Amendment 150.

Old Ottawa East Secondary Plan

The Secondary Plan provides the legal framework that supports the Old Ottawa East Community Design Plan prepared in 2011. The Community Design Plan developed a vision for the community on the growth of the area with a focus on Main Street. The general character of the residential neighborhoods in this community is to be maintained with intensification near the edges as a transition to denser development sites and where they abut an Arterial or Collector road. Infill residential development is to be consistent with the Design Guidelines for Low-Rise Housing. Buildings within the Residential – Low Rise designation are not to exceed four storeys.

Although the predominant built form immediately surrounding the site is two to three storeys, the proposed four-storey apartment building maintains the low-rise character of the area by being designed to fit well within its urban context using a combination of glazing, materials to soften the appearance of the building and generous landscaping along both street frontages. Staff are therefore satisfied that the proposal is consistent with the Secondary Plan.

Zoning Details

The proposal generally meets the intent of the Residential Fourth Density, Subzone T zone (R4T) but requires relief from a number of performance standards as summarized below.

Rear and interior side yard setbacks: The lot is classified as a corner lot and therefore, the minimum setback from any rear lot line or interior lot line is 1.2 metres; however, a further yard abutting both the interior lot line and the rear lot line must be provided which is equal to 30 per cent of the lot depth by 30 per cent of the lot width which totals 130 square metres. This requirement will apply to this site starting July 8, 2017, as stated in the transition provisions of Infill II By-law 2015-228. Relief is therefore being sought in the event that a building permit application is not received before this time. In any event, the location of the rear yard on this property is in an unusual location and if applied, would result in the creation of vacant space along an Arterial road, which is not an appropriate location for amenity space from an urban design perspective.

Corner side yard setback: A reduced corner side yard setback of 1.5 metres from the required 3 metres is provided to account for a road right of way protection requirement along Greenfield Avenue, an Arterial street. Despite the reduced setback, the frontage

along Greenfield Avenue will be generously landscaped with a walkway containing interlock pavers and planters.

Bay window projection: Bay windows are permitted to project 1 metre from a building but not closer than 1.2 metres from the lot line. The proposed bay window along Greenfield Avenue has been reviewed and has been deemed a permitted projection under the Zoning By-law.

Reduced visitor parking: The Zoning By-law exempts visitor parking for the first 12 units of a low rise apartment building and requires 0.2 spaces per unit thereafter. Therefore a total of two visitor parking spaces are required. A total of eight resident and one visitor parking space is proposed. Therefore, the application is seeking relief for only one visitor space. The site is in a convenient location with proximity to transit, sidewalks and amenities found nearby on Main Street and a multi-use pathway along the Rideau Canal. Staff acknowledge the comments received from residents advising that the availability of on-street parking is low on Greenfield Avenue, which can be attributed to visitor parking and the proximity of the University of Ottawa further east of the site; however, with the availability of alternative forms of transportation, Staff do not believe that the proposed reduction will place undue stress on the on-street parking situation.

Vehicle and bicycle parking space dimensions: Reduced parking space lengths of 4.6 metres are proposed, which is recognized in the Zoning By-law as appropriate. Three spaces are also proposed to be reduced in width to 2.4 metres. All of these smaller spaces will be signed for small cars only. As it relates to bicycle parking, the By-law requires that only 50 per cent of bicycle parking spaces be vertical. The plan proposes that all spaces be vertical. This permits all the spaces to be located safely underground and out of the elements. Additional bicycle parking spaces are to be provided outside for visitors.

Drive aisle width requirements: The required drive aisle width of 6.7 metres in the underground parking garage is proposed to be reduced to 6 metres. The design of the parking garage will allow cars to maneuver appropriately.

Amenity area requirements: The proposed design requires relief from the amenity area provisions. The total required amenity area is 210 square metres and 120 square metres are to be communal amenity space, which is required to be located at grade, in the rear yard and consist of 80 per cent soft landscaping. As mentioned previously, this site is a corner lot with the functional rear yard abutting Greenfield Avenue. Placing the

communal amenity space in this location would be inappropriate along an Arterial street and does not achieve the intent of the by-law of protecting for abutting rear yards. Therefore, relief is sought in order to place the required communal amenity area on the rooftop. This is a more appropriate location for the building occupants, in response to there being a limited rear yard on the site. Three small outdoor amenity areas totaling 54 square metres are proposed to locate in the front yard and are intended to serve three maisonette units along Havelock Street. Permission is requested to vary the By-law such that these areas can be located in the front yard and be counted towards private amenity area requirements. These amenity areas at grade help to reflect the front porch and yard condition along Havelock Street.

Building Height: A maximum building height is 14.5 metres; however 14.6 metres is required. This small increase is supportable.

Low Rise Residential Infill Development in the Mature Neighbourhoods Overlay By-law (By-law 2012-147): A transition clause which was instituted at the time of the adoption of the Mature Neighbourhoods By-law exempts this application until June 10, 2017. Despite this, relief is requested should there be a delay with the adoption of the proposed Zoning By-law amendment. Staff reviewed the proposal against the provisions of this section of the Zoning By-law and determined that relief would be required to the front yard setback requirements but responds favourably to the dominant streetscape character.

Infill II By-law (By-law 2015-228): A transition clause which was instituted at the time of the adoption of the Infill II By-law exempts this application until July 8, 2017. Relief is being sought in the event that a building permit application is not received before this time.

Staff are satisfied that the requested Zoning By-law amendment is appropriate. The proposal provides for intensification within an existing built up area that is zoned for the proposed low-rise apartment building. While staff acknowledge that the number of amendments proposed are numerous, the relief being requested is not unreasonable given the attention that has been paid to the quality of the design and which is sensitive to the surrounding built form and character. The amendments are also considered technical modifications to the Zoning By-law necessitated by the triangular shape of the lot.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Chernushenko is aware of the application related to this report.

LEGAL IMPLICATIONS

Should the recommendation be adopted and the by-law appealed to the Ontario Municipal Board, it is anticipated that a two to three day hearing would result. It is expected that it could be conducted from within staff resources. Should the application be refused, reasons must be provided. In the event the refusal is appealed to the Ontario Municipal 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 Implications 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 operating status.

ACCESSIBILITY IMPACTS

The proposed development will have entrances to three dwelling units on the ground floor that could serve people who have mobility needs as well as a wide walkway along Greenfield Avenue that can be used safely by people with disabilities. A 1:12 accessible ramp will also be installed at the main entrance to the building. The building will also 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 affordable housing options.

EP2 – Support the growth of the local economy.

APPLICATION PROCESS TIMELINE STATUS

The application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to a delay in determining ownership of a corner sight triangle on the property.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Site Plan

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

CONCLUSION

The Planning, Infrastructure and Economic Development department supports the proposed Zoning By-law amendment. The unique site configuration at the confluence of two streets provides an opportunity for intensification that does not impose undue adverse impacts on adjacent lands. The proposal is respectful of the neighbourhood context by breaking up the massing of the building using a variety of building materials as well as offering generous streetscaping along both building façades. The Greenfield Avenue side responds well to the arterial character of the street with extensive landscaping while the Havelock Street façade respects the two and three storey single-detached, semi-detached and multi-unit buildings with ground-oriented entrances to break up the façade, having the appearance of front porches. The requested amendment represents good planning and is consistent with the Official Plan. In conclusion, it is recommended that this Zoning By-law amendment be approved.

DISPOSITION

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

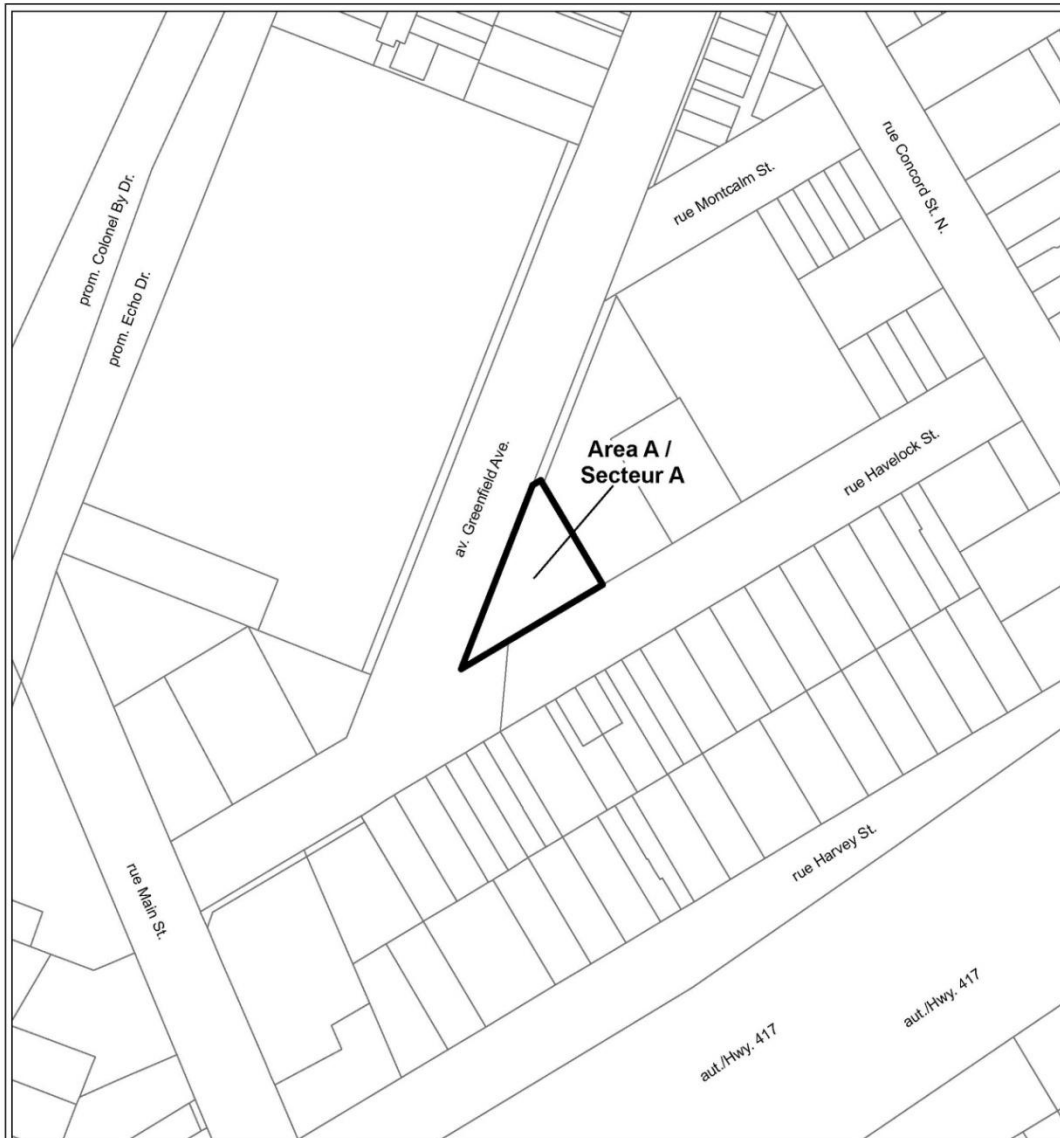
Zoning and Interpretations Unit, Planning Services to prepare the implementing by-law and forward to Legal Services.




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	
D02-02-15-0026	17-0276-X	 47 rue Havelock Street	
I:\CO\2017\Zoning\Havelock_47			
<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>			
<small>©Les données de parcelles appartient 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>			
REVISION / RÉVISION - 2017 / 02 / 27		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 2008-250 for 47 Havelock Street is as follows:

1. Rezone the lands shown in Document 1 from R4T to R4T[xxxx].
2. Amend Section 239, by adding a new exception [xxxx] with provisions similar in effect to the following:
 - a. In Column II, add the text “R4T [xxxx]”; and
 - b. In Column V, the following provisions apply to an Apartment Dwelling, Low Rise:
 - Minimum required rear yard setback is 4.6 metres.
 - Minimum required corner side yard setback is 1.5 metres.
 - Minimum required interior side yard setback is 1.5 metres.
 - Maximum building height is 14.6 metres.
 - Minimum aisle width in a parking garage is 6 metres.
 - Maximum number of required visitor parking spaces is one.
 - Parking spaces other than visitor spaces may be reduced to a length of 4.6 metres.
 - Three parking spaces other than visitor spaces may be reduced to a width of 2.4 metres.
 - The parking spaces with reduced length and/or width are to be clearly identified for small cars only.
 - No maximum limit on number of vertical bicycle parking spaces.
 - Hard landscaping is permitted in the front and corner side yards in the form of interlock pavers and planters.
 - Maximum width of a walkway within the corner side yard is 5.2 metres.

- Despite Section 65 (7), a bay window may project into a required yard, but may not project more than one metre from the building.
- Despite Column IV of Table 137, all of the communal amenity area may be located on the rooftop.
- Despite Subsection 137 (3), up to 54 square metres of amenity area that is not communal amenity area may be provided within the front yard.
- Section 139 does not apply.
- Section 161 (11) to (17) does not apply.

Document 3 – 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 amendments.

A meeting was held in the community with the developer on April 21, 2015. Staff did not attend.

Approximately 24 individuals commented on the application when it was circulated in April 2015. The majority were opposed or expressed concerns. An update was sent by e-mail on November 24, 2016 to advise those who commented that new plans and updated reports had been submitted to the city and posted to Ottawa.ca/devapps. One additional comment was received.

The following represents a summary of the comments received, organized by topic.

Public Comments and Responses

Parking

- There is insufficient parking provided for the development which will lead to on-street parking.
- The site is not well served with public transit.
- On-street parking on Havelock Street and in the area is already at capacity.
- Winter parking is difficult on Havelock Street and is prohibited down the north side.
- By-law Enforcement does not enforce the rules related to on-street parking.
- One of the required parking spaces should be devoted to a car-share service accessible by residents.
- The City should add parking regulation signage in the area and give out tickets.

Response:

The Zoning By-law exempts parking for the first 12 units of a low-rise apartment building and requires 0.5 spaces per unit thereafter. Similarly, the requirement for visitor parking is 0.2 spaces per unit beyond the first 12 units. Therefore a total of six resident and two visitor parking spaces are required. A total of eight resident spaces and one visitor parking space is proposed. Therefore the application is seeking relief for only one visitor space. The site is in a convenient location with proximity to transit, sidewalks and amenities found nearby on Main Street and a multi-use pathway along the Rideau Canal. There are alternative forms of transportation available in the area which are encouraged. Staff acknowledge the comments received from residents advising that the availability of on-street parking is low in the area, which can be attributed to visitor parking and the proximity of the University of Ottawa further east of the site.

Traffic

- There is too much traffic and speeding on Greenfield Avenue.
- How will the proposed development affect traffic patterns on Havelock Street and Greenfield Avenue?
- Greenfield Avenue will be unsafe to cross during construction, especially between Greenfield and Main Street.
- Sight lines at the corner will make this a dangerous intersection at Havelock and Greenfield.

Response:

The number of parking spaces proposed for this development did not trigger the requirement for a traffic study review. The traffic to be generated by this proposal is not anticipated to have a negative impact on the surrounding streets.

Density and Compatibility

- The building has too many units.
- The units will be for student housing and will create problems similar to those experienced in Sandy Hill.
- There is too much housing development happening in the area.

- The development will detract and undermine the established pattern of built form and open spaces in the area.
- A low-rise apartment building is incompatible with houses on Havelock Street.
- Intensification is inappropriate along Havelock Street.
- The proposed building is too large for the size of the lot.

Response:

The building is within the permitted height limit of four storeys, having been designed to fit well within the urban context using a combination of glazing, materials to soften the appearance of the building and generous landscaping along both street frontages. The development respects the low-rise character of the area. The prevailing pattern of side and rear yard setbacks and open spaces on adjacent residential properties in the immediate area are not impacted by the proposed development.

Relief from Zoning By-law

- The development is requesting too much relief from the Zoning By-law.
- Relief from the rear yard setback requirements should not be permitted.
- Relief from the side yard setback will result in more noise and less light.
- Zoning standards should be applied more stringently for intensification proposals.
- Reduced setbacks will mean more snow piled up on the street which will compromise traffic and pedestrian safety.
- Taken individually the relief requested seems minor but together is it more than a minor variance.
- The irregular shape of the lot should not be used as an argument for relief from the Zoning By-law.

Response:

Staff acknowledge that the number of amendments proposed are numerous, and it is appropriate that they be addressed through a Zoning By-law amendment process (rather than a minor variance process). However, the relief requested is not

unreasonable given the attention that has been paid to the quality of the design, which is sensitive to the surrounding built form and character.

Trees

- Destruction of healthy mature trees on the property is a concern and replanting appears difficult given lack of plantable area along Havelock Street.
- Tree removal impacts the quality of the tree-lined streets of Greenfield Avenue and Havelock Street.
- No public art feature should replace trees which we are losing and in great need of.

Response:

It is acknowledged that a number of mature trees are to be cut down. The Tree By-law will issue a Tree Permit at the time of Site Plan approval for any trees to be removed that are over 10 centimetres diameter in size. Replacement plantings will be pursued through the application for Site Plan Control.

Outdoor amenity area

- There is insufficient outdoor amenity areas and required greenspace which will affect privacy levels along Havelock Street.
- The rooftop amenity area will be noisy and will disturb the neighbourhood.
- The rooftop amenity area is not usable in winter.
- Concern regarding overlooking and infringement on privacy from the rooftop amenity area by the adjacent property to the east.
- Will the rooftop amenity area be setback from the roof?

Response:

The rooftop amenity area has been oriented to the north end of the building, away from the adjacent property on Havelock Street and the front yards across Havelock Street. In compliance with the regulations of the Infill II by-law, the rooftop amenity area will also be setback a minimum of 1.5 metres from all edges of the building. Noise emanating from the rooftop must comply with the City's Noise By-law.

Materials

- White stucco is lesser quality than more recent infill project nearby and will be very difficult to keep clean given the proximity to Highway 417.

The community should be able to comment on the public art feature proposed at the front of the building.

Response:

Comments on the public art feature will be heard at the time of Site Plan circulation for the proposed building.

Property values

- This development will have a negative impact on my property value.

Response:

No supporting data exists to indicate that redevelopment will cause a reduction in the property values of surrounding properties.

Community Organization Comments and Responses

The Old Ottawa East Community Association provided the following comment:

Notwithstanding current City of Ottawa policy or any variances granted by the Committee of Adjustment, with regard to the proposed project at 47 Havelock, members of old Ottawa East Community Association are concerned that:

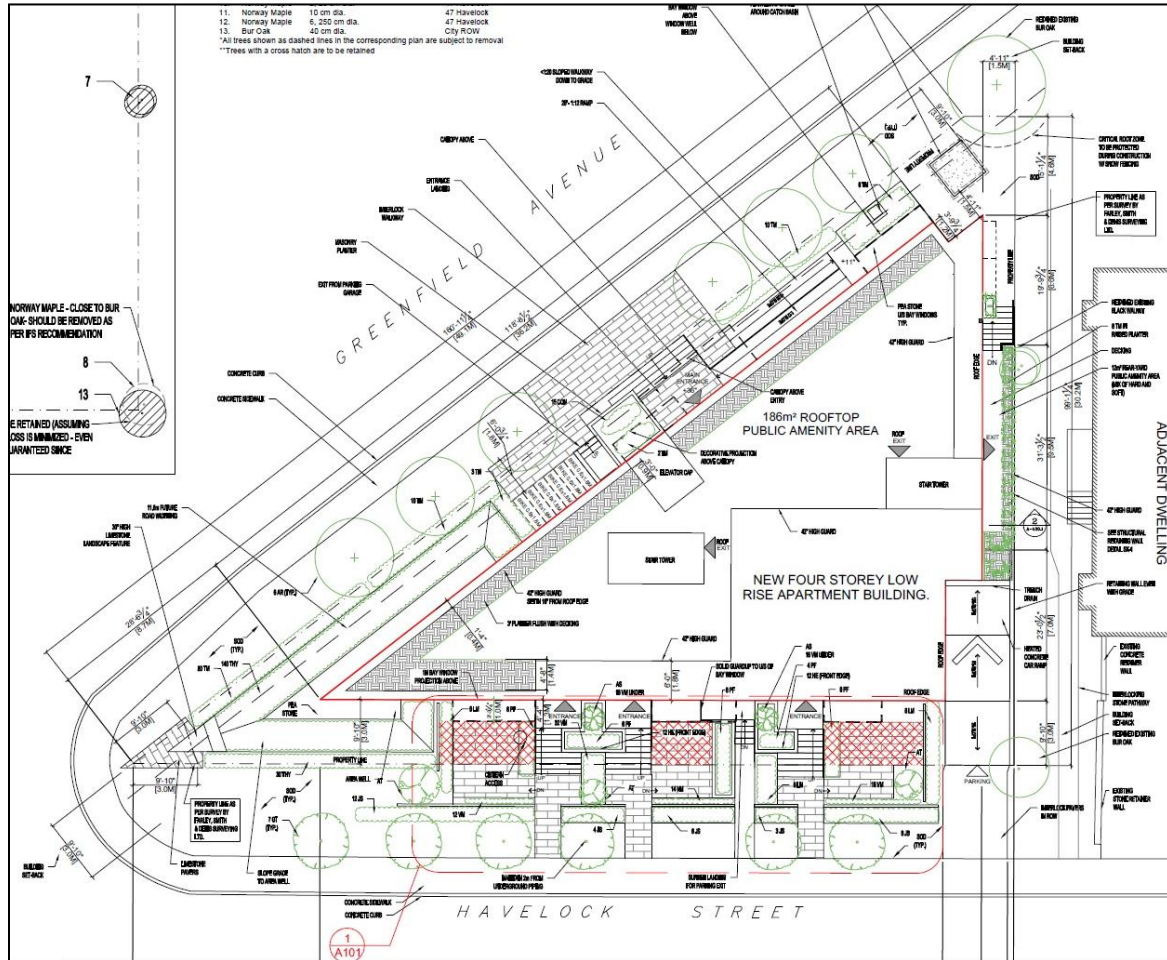
- There is too little resident parking
- There is too little visitor parking
- There will be excessive noise from activities on the rooftop amenity space.

Response:

The proposal meets the Zoning By-law requirements of six resident parking spaces. Relief is required for one visitor space, which the Department does not believe will be detrimental to the surrounding streets. The location of the rooftop patio satisfies the regulations of recent infill initiatives and the City will enforce the Noise By-law should there be complaints of noise from the rooftop amenity area.

Document 4 – Site Plan and Context

Site Plan



Context



North Elevation



South Elevation

