

2. **ZONING BY-LAW AMENDMENT – 1132 FISHER AVENUE**
MODIFICATION AU RÈGLEMENT DE ZONAGE – 1132, AVENUE FISHER

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for 1132 Fisher Avenue to permit the construction of four single-detached dwellings and three semi-detached dwellings, as detailed in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification au Règlement de zonage (2008-250) visant le 1132, avenue Fischer afin de permettre l'aménagement de quatre maisons individuelles et de trois habitations jumelées, comme l'indique le document 2.

FOR THE INFORMATION OF COUNCIL

The committee also approved the following Direction to staff:

That Staff review the portion of Kingston Avenue from approximately 1177 Kingston to the Kingston/Trent intersection, providing recommendations to improve overall safety on this corner, with priority for pedestrians and cyclists, and motorists as well.

POUR LA GOUVERNE DU CONSEIL

Le comité a également approuvé la directive au personnel suivante :

Que le personnel examine la portion de l'avenue Kingston se trouvant essentiellement entre le 1177, avenue Kingston et l'intersection de celle-ci avec la rue Trent, et formule des recommandations pour améliorer la sécurité à l'intersection, en priorité pour les piétons et les cyclistes, mais aussi pour les

automobilistes

DOCUMENTATION /DOCUMENTATION

1. Director's Report, Planning Services, Planning, Infrastructure and Economic Development Department dated July 30, 2018 (ACS2018-PIE-PS-0089)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'Infrastructure et du développement économique daté le 30 juillet 2018 (ACS2018-PIE-PS-0089)

2. Extract of draft Minutes, Planning Committee, 28 August 2018

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 28 août 2018

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
28 August 2018 / 28 août 2018**

**and Council
et au Conseil
12 September 2018 / 12 septembre 2018**

**Submitted on 30 July 2018
Soumis le 30 juillet 2018**

**Submitted by
Soumis par:**

**Lee Ann Snedden
Director / Directrice**

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

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Ward: RIVER (16) / RIVIÈRE (16)

File Number: ACS2018-PIE-PS-0089

SUBJECT: Zoning By-law Amendment – 1132 Fisher Avenue

OBJET: Modification au règlement de zonage – 1132, avenue Fisher

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1132 Fisher Avenue to permit the construction of four single-detached dwellings and three semi-detached dwellings, 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 September 12, 2018" 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 1132, avenue Fischer afin de permettre l'aménagement de quatre maisons individuelles et de trois habitations jumelées, comme l'indique 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 septembre 2018 », 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

1132 Fisher Avenue

Owner

RND Construction Ltd.

Applicant

Debbie Belfie, D.G. Belfie Planning and Development Consulting

Architect

Barry Hobin, Hobin Architecture Inc.

Description of site and surroundings

The property is located on the south side of Kingston Avenue in proximity to the Vale Street intersection and immediately north of the Central Experimental Farm. A recreational pathway separates this property from the Central Experimental Farm. The subject property is owned by the Turnbull School, which is located to the east of the affected lands. A low-rise residential neighbourhood comprised of a mix of detached- and semi-detached dwellings is located to the north and west. The parcel of land affected by the applications has a total area of 2,710 square metres and approximately 100 metres of frontage on Kingston Avenue.

Summary of requested Zoning By-law amendment proposal

Ten, two-storey homes are proposed to be built fronting onto Kingston Avenue. Four single-detached dwellings will be located along the eastern portion of the site and three semi-detached dwellings with six units will be located along the western portion of the site.

The entire property, including the existing school site and the portion of land affected by this application, is currently zoned Minor Institutional Zone, Subzone A (I1A), which does not permit single- and semi-detached residential uses. A zoning amendment is requested to rezone the westernmost portion of the lands to Residential Second Density Zone, Subzone L (R2L) to permit those uses. A special exception zoning is also requested to allow for reduced interior side yard setbacks for single-detached dwellings to a total side yard setback of 1.8 metres with no yard less than 0.6 metres, and to allow a 9.5-metre building height.

DISCUSSION

Public consultation

A community information session was held on January 17, 2017, prior to application submission, at the Alexander Community Centre, 960 Silver Street. Councillor

Brockington was present, along with approximately 30 residents. Concerns related to trees and stormwater management were expressed. During the application review process, staff were able to work with the applicant to provide an adequate stormwater solution as well as an improved tree preservation solution.

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

Official Plan designation

According to schedule B of the Official Plan, the property is designated as General Urban, which permits a wide mix of uses.

Urban Design Review Panel

The property was not subject to the Urban Design Review Panel.

Planning rationale

Provincial Policy Statement

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 is consistent with the matters of provincial interest as outlined in the *Planning Act* and is in keeping with the PPS.

Official Plan

The Official Plan designates this property as General Urban Area, which allows for a full range and choice of housing types, as well as a mix of commercial, cultural, institutional and other types of uses. With the intention of developing complete and sustainable communities, the Official Plan intends that the Zoning By-law will regulate the location, type and scale of these uses based on the local context.

Section 2.5.1 and 4.11 speak to compatibility and urban design and provide criteria, which can be used to evaluate compatibility. These policies strive to require high quality urban design throughout the city, as well as compatibility and the contribution to a community identity. Compatibility is described not as being the same as or similar to existing buildings in the vicinity but rather as being able to coexist with existing development without causing adverse impact on surrounding properties.

The proposal for a mix of low-rise unit types at varying front yard setbacks is consistent with the established neighbourhood character. The front yard setbacks are consistent with those found across the street. While the proposed height exceeds what is found in the surrounding zoning categories by 1.5 metres, the site in question is located along the edge of the neighbourhood, has no immediate neighbours to the south, and the proposed houses' façades will be located 26 to 27 metres away from the façades of the existing houses across the street. No adverse impacts to neighbouring properties in terms of massing or shadowing are anticipated. Staff are satisfied that the requested Zoning By-law amendment is consistent with the Official Plan.

Zoning By-law

As detailed in Document 2, the proposed Zoning By-law amendment will re-zone the western portion of the site from I1F to R2L[xxxx] to permit the construction of four single-detached dwellings and three semi-detached dwellings. In addition to the standard R2L zoning provisions, a site-specific exception will permit heights up to 9.5 metres and reduced interior side yard setbacks. Building heights of 9.5 metres are permitted in the R2L subzone, but not on properties inside the Greenbelt as shown on Area A of Schedule 342. For single-detached dwellings, the total side yard setback will be 1.8 metres with no yard less than 0.6 metres. In order to protect one of the trees, one of the homes will provide a 0.6-metre side yard setback, while all of the other homes will feature 1.2-metre side yard setbacks, which is greater than the R2L zone's one-metre minimum.

The proposed rezoning is in line with the existing community context in terms of the proposed uses. A slight increase in height is being proposed; however, the generous right-of-way width, front yard setbacks on both sides of the street and edge condition will minimize potential impacts due to sun shadowing.

The department supports the proposed Zoning By-law amendment and is of the opinion that the proposal is consistent with the Official Plan.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Brockington provided the following comments:

"I am aware of the application related to 1132 Fisher Avenue.

I have been working on this file with area neighbours and the developer for 18+ months. Although this is a modest proposal of 10 homes, the property does present its challenges.

Some of the concerns that were highlighted during the consultation process with area residents are the Leda clay soil conditions in the area, the overall drainage and surface water runoff from the construction of the new homes, tree retention, impacts to NCC land and pathway, the drainage easement and culvert on the east side of the property and on-site parking issues, compounded by nearby Turnbull School.

I pushed the developer to work on addressing a number of community concerns at my request over the last several months. Some changes were made to the development plans to accommodate the noted community concerns, including:

- **Stormwater runoff:** The stormwater management system and grading was revised to address potential flooding issues and to protect the trees along the rear property line parallel to the NCC pathway. The existing ditch that runs along the eastern edge of the property and has a 400 mm culvert and pedestrian bridge crossing it. This ditch leads to a 750 mm municipal culvert that connects to the existing 750mm municipal storm sewer on Kingston Avenue via a manhole. During spring thaw this 400 mm culvert was observed to be restricting the water flow, partially due to debris lodged in the culvert and partially due to its small size. Water was observed ponding upstream of this culvert and part of the NCC bicycle path was flooded. As part of the revised stormwater management plan, the pedestrian bridge and culvert will be removed. As well, the existing ditch will be widened and lowered to create a stormwater storage area to retain the rain water and let it drain into the stormsewer system. This will eliminate the ponding during spring thaw and after large rainfalls. The ditch will be retained by the Turnbull School and a restrictive covenant will be placed on title to ensure it is maintained and not altered.
- The initial grading plan proposed grading the rear yards from the homes towards the rear property line. In order to preserve the trees along the rear property line an alternative grading plan was developed. The grades within 2.0 to 2.4 metres of the rear lot line will remain unchanged. As discussed and agreed with the NCC, an existing drainage swale on the NCC property, located between the rear lot line of the subject property and the bicycle path, will be used for the drainage

of the rear yards much as it is currently functioning. This existing drainage swale leads to the existing ditch to the east. Since the grades do not need to be altered, the trees in this area will be retained.

- **Ten new trees** will be planted to enhance the tree coverage along the NCC pathway as well as three additional trees will be planted along the Kingston Avenue frontage of the property.
- **Driveways:** The driveways of the semidetached homes have been paired. This pairing of driveways allows for wider front lawns between the driveways and room for on street parking between the driveways. It is expected that there will be sufficient room on each side of the driveway to place the snow.
- **Construction:** In order to minimize disruption from construction the developer is proposing to construct all the foundations and frame all the homes at the same time rather than building the homes as they are sold. The developer has advised that there will not be any blasting.

I will continue to work with the community and developer to mitigate any disruption during the construction phase.”

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with the recommendations of this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

ES1 – Support an environmentally sustainable Ottawa

HC3 – Create new and affordable housing options

APPLICATION PROCESS TIMELINE STATUS

This application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications due to complexities related to resolving stormwater management issues.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Proposed Site Plan

CONCLUSION

The Planning, Infrastructure and Economic Development Department supports the application and proposed Zoning By-law amendment. The proposal is consistent with the Official Plan policies for residential development and compatibility. The proposed zoning amendment is appropriate for the site.

The amendment represents good planning and, for the reasons stated above, staff recommends approval of the Zoning By-law amendment.

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.

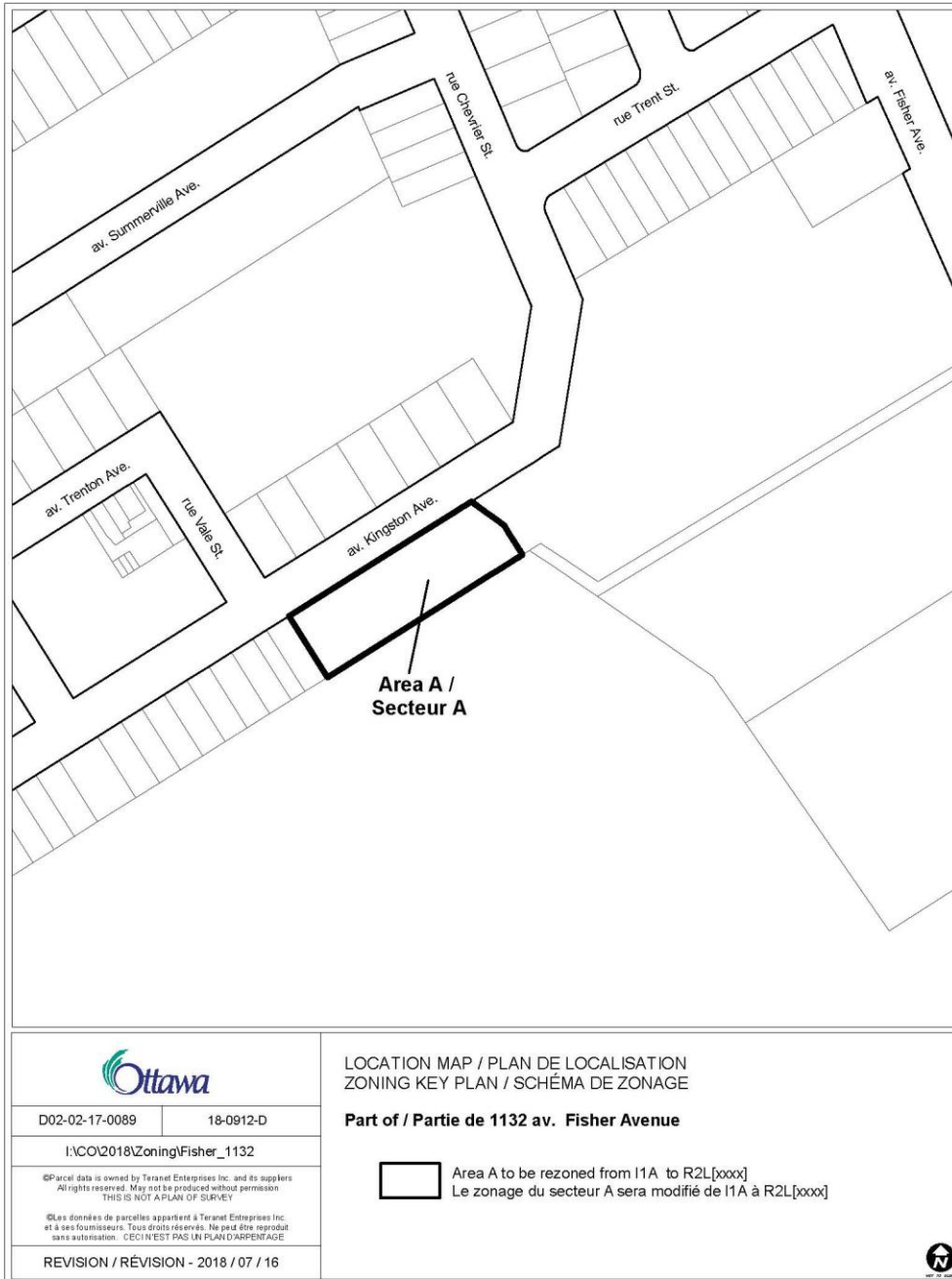
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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



Westernmost portion of 1132 Fisher Avenue, fronting on Kingston Avenue.

Document 2 – Details of Recommended Zoning

Proposed changes to the Zoning Bylaw 2008-250 for part of 1132 Fisher Avenue:

1. Area A shown on Document 1 to be rezoned from I1A to R2L[xxxx]
2. Add a new exception, R2L[xxxx] to Section 239, Urban Exceptions, introducing provisions similar in effect to the following:
 - a. In Column V, Provisions, add the text:
 - i. Maximum building height for single detached dwelling and semi-detached dwelling is 9.5 metres.
 - ii. Minimum interior side yard setbacks for single detached dwelling is a total side yard setback of 1.8 metres with no yard less than 0.6 metres.

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 community information session was also held in the community prior to application submission.

January 17, 2016, 960 Silver Street

Public Comments and Responses

1. Comment: I am happy about the Farm Side green homes going up on Kingston.
2. Comment: The developer is applying for a R2L zone, while it was promised to us at a community information session that an R2G zone would be sought. Are there repercussions for these altered intentions?

Response: Unfortunately staff have no control over promises made in advance of the application being submitted. Both subzones permit the single-detached and semi-detached dwellings proposed although the performance standards vary in the two subzones.

3. Comment: Introducing an R2L zone in the neighbourhood will encourage developers to do more of the same development along the street and in the neighbourhood. The proposed development will not fit within the existing neighbourhood context.

Response: The proposed R2L zoning with exception is not significantly different from the surrounding R2G zoning. Given the edge condition of the site, the proposed quality architecture and the varied front yard setbacks, staff are of the opinion that the proposal meets the compatibility and urban design criteria outlined in the Official Plan and can be successfully integrated into the existing community.

4. Comment: We are concerned about the implications of building such a significant development directly beside a creek and on top of land that is annually flooded.

Response: City engineers have reviewed the application and have ensured that the stormwater levels are not worsened by the introduction of these new houses. Appropriate drainage solutions have been implemented to ensure this including a block for stormwater management purposes on the eastern side of the site.

5. Comment: The development will worsen the traffic situation within the neighbourhood, as it relates to the nearby school.

Response: City staff have reviewed the proposal and are not concerned with the traffic impacts related to the introduction of four new single detached dwellings and three semi-detached dwellings.

6. Comment: Snow removal will become an issue as the proposed new driveways will be tightly spaced.

Response: It is staff's opinion that the proposed driveway locations are appropriate and should not pose a problem as it relates to snow storage. All driveways are single car width driveways with the driveways for the semi-detached units being paired, thus maximizing the amount of lawn space available for snow storage. Successful snow management on front lawns is being observed in much denser neighbourhoods across the City.

7. Comment: Too many trees are proposed to be removed.

Response: Through discussions with the applicant, some changes have been brought to the plans (such as changing driveway locations) in order to increase the number of trees being retained. One of the existing maple trees is in poor condition and will be removed. The existing ash tree will be removed due to the Emerald Ash borer. Another tree has already been removed by the City due to storm damage. Three new maple trees will be planted. Furthermore, in order to preserve the trees and tree canopy within 2 to 2.4 metres of the rear property line, the stormwater management system has been revised so that the existing grades and drainage in this area will be unaltered and the trees will remain.

Document 4 – Proposed Site Plan



See read in conjunction with the
 Planning Report prepared by IFS
 April 7, 2017

Kingston Ave
 Inside Green @ Experimental Farm