

7. ZONING BY-LAW AMENDMENT – 3443 INNES ROAD
MODIFICATION DU RÈGLEMENT DE ZONAGE – 3443, CHEMIN INNES

COMMITTEE RECOMMENDATION, AS AMENDED

That Council approve an amendment to Zoning By-law 2008-250 for 3443 Innes Road, shown in Document 1 and detailed in Document 2, to facilitate the development of a six-storey mixed use building, as amended by the following:

1. that a Holding provision be added to the Zoning;
2. that Delegated Authority on the site plan be removed and that approval of the site plan require approval of Planning Committee and Council; and
3. that no further notice be given, pursuant to subsection 34(17) of the *Planning Act*.

RECOMMANDATION DU COMITÉ, TEL QUE MODIFIÉE

Que le Conseil approuve la modification du Règlement de zonage (no 2008-250) relativement aux terrains situés au 3443, chemin Innes, illustrés dans le document 1 et détaillés dans le document 2, afin de permettre la construction d'un édifice polyvalent de six étages, tel que modifié par ce qui suit :

1. qu'une disposition d'aménagement différé soit ajoutée au zonage;
2. que les pouvoirs délégués concernant l'approbation du plan d'implantation soient retirés et que l'approbation de celui-ci soit assujettie à l'approbation du Comité de l'urbanisme et du Conseil; et
3. qu'aucun nouvel avis ne soit donné en vertu du paragraphe 34(17) de la *Loi sur l'aménagement du territoire*.

DOCUMENTATION /DOCUMENTATION

1. Director's Report, Planning Services, Planning, Infrastructure and Economic Development Department dated July 30, 2018 (ACS2018-PIE-PS-0034)

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-0034)

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: INNES (2)

File Number: ACS2018-PIE-PS-0034

SUBJECT: Zoning By-law Amendment – 3443 Innes Road

OBJET: Modification du Règlement de zonage – 3443, chemin Innes

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 3443 Innes Road, shown in Document 1 and detailed in Document 2, to facilitate the development of a six-storey mixed-use building.**

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 September 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 la modification du *Règlement de zonage* (n° 2008-250) relativement aux terrains situés au 3443, chemin Innes, illustrés dans le document 1 et détaillés dans le document 2, afin de permettre la construction d'un édifice polyvalent de six étages.
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

3443 Innes Road

Owner

Elias Bishara

Applicant

Novatech Engineering Consultant Ltd.

Architect

Project1 Studio Incorporated

Description of site and surroundings

The subject site is located at the northwest corner of Pagé Road and Innes Road. To the north, a detached dwelling exists on an underdeveloped 10,000-square metre lot with extensive tree cover. Across Pagé Road, to the east exists a gas station and a one-storey commercial plaza. To the west, there is mainly residential uses. A detached dwelling immediately abuts the subject site. On the southeast corner of Innes and Pagé Road, exists a four-storey retirement residence. On the southwest corner of Innes and Pagé Road is a dentist office.

The subject site is currently occupied by a single detached dwelling. Approximately 5.6 metres from the Innes Road lot line, primary Hydro transmission lines also run parallel to the Innes Road frontage. The lot area is 3,296 square metres, with 54.9 metres of frontage on Pagé Road and 30.8 metres on Innes Road.

The proposed development is a six-storey, mixed-use building with commercial uses at grade and thirty-five residential units above. Six commercial units are being proposed on the ground floor, with four units facing Innes Road and two units facing Pagé Road. The gross floor area of ground floor commercial uses is 616 square metres, and the residential gross floor area is 3,045 square metres. All residential units will have private balconies and access to an at-grade communal landscaped area north of the proposed building. Both the private and communal spaces are to serve the amenity space needs of residents.

Surface and underground parking is proposed on-site. The surface parking lot containing 26 spaces, will be located along Innes Road and Pagé Road. This lot will be used to meet the parking needs of the commercial uses (23 spaces), and accommodate visitors to the residential use (3 spaces). Four further at-grade

parking spaces are to be located at the rear of the building, also for residential visitor use. The underground parking garage will contain 37 residential parking spaces.

Summary of requested Zoning By-law amendment proposal

The City of Ottawa has received a Zoning By-law Amendment to rezone the subject site from Residential First Density, Subzone WW (R1WW) to Local Commercial Zone, Exception XXXX (LC[XXXX]), to permit a six-storey, mixed-use building with commercial uses at grade and residential units above. Part of this Zoning By-law amendment includes some changes to the Local Commercial Zone, via an exception, for building height, area required for the communal amenity area, and widths of landscaped areas abutting residential zones, as well as parking lots.

Background

The applicant has applied for Site Plan Control approval for the proposed development. The application is still under review and any approval is dependent upon the amendments requested through this report.

DISCUSSION

Public consultation

Notice of this application was circulated to surrounding landowners and two standard City signs were installed on-site giving notice of this Zoning By-law amendment in accordance with the Council approved policy for Public Notification and Consultation and the *Planning Act*. Based on the number of resident showing concerns, Councillor Mitic's office, in concert with Planning, Infrastructure and Economic Development, had a Community Information and Comment Session (CICS) on March 29, 2018.

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

Official Plan designations

According to the Official Plan (OP), the subject land is designated General Urban Area. To the north and south, it is surrounded by further General Urban Area lands and to the southeast, by lands designated Arterial Mainstreet and Employment Area. The General Urban Area designation is intended to promote the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances, in combination with conveniently located employment, service, cultural, leisure,

entertainment, and institutional uses. This includes low-to-high-rise residential buildings and retirement homes. It also promotes mixed-use communities that are diverse and adaptable to changing needs. The predominant land use in this designation is residential; however, other ancillary uses are also permitted, subject to criteria. The OP promotes intensification where appropriate. Although intensification is mainly intended to be along Mainstreets, and within Mixed-Use Centres and Town Centres, the OP also contemplates intensification in the General Urban Area designation. However, in such cases, the scale of intensification and the heights and density of development will vary depending upon factors such as the existing built context and proximity to major roads and transit. The subject site is somewhat isolated from other parcels of land. There is an underdeveloped lot to the west, a huge treed, underdeveloped lot to the north. Additionally, it lies at the intersection of a major arterial and collector, Innes Road and Pagé Road, respectively – where intensification is generally appropriate. Innes Road is a commercial spine within Orleans. Arterial Mainstreet designation is also directly southeast of the site. Furthermore, the site abuts a bus stop and is part of a rapid transit bus corridor that runs along Innes Road. Intensification of the site at the scale being proposed and with mixed-use development will not have an impact on the surrounding land uses.

The proposed building form, architecture and landscaping of the site will form a gateway into Orleans from the west. Accordingly, the design elements of the building will be a strong consideration in the subsequent Site Plan Control approval.

The above-outlined policies of the Official Plan support the proposed zoning changes, as they will help facilitate a mixed-use development that will add to a mix of residential housing forms within the existing community.

Council-approved Official Plan Amendment 150

The General Urban Area designation for the site remains unchanged following the adoption of Official Plan Amendment 150 (OPA 150), which was approved by Council in December 2013. The General Urban Area designation continues to permit the development of a full range and choice of housing, employment, retail, service, cultural, leisure, entertainment and institutional uses. OPA 150 does limit development in the General Urban Area to low-rise (four-storeys) except in specific situations where up to six storeys can support Rapid Transit and also in areas where existing zoning permits greater heights.

The site fronts onto Innes Road, which is identified as a Transit Priority Corridor on Schedule D of the Official Plan. In order to foster development that supports higher-order transit (which includes transit priority corridors), the City of Ottawa Official Plan and Transportation Master Plan promote modest intensification in the form of mid-rise buildings along most transit priority corridors. This development should have consideration for compatibility, road classification, mix of uses, and opportunities for redevelopment.

This application has been reviewed in the context of OPA 150 and staff are of the opinion that this application meets the required tests and intent. An Official Plan Amendment will not be required to consider the requested increase to the building height, because OPA 150 is not yet in full force and effect.

Planning rationale

The zoning amendment being sought to rezone the lands from a residential zone to a local commercial zone, with exceptions, is appropriate at this location. The other three parcels of land, at each corner of this intersection, have been rezoned to Local Commercial over the years, as this intersection has been deemed appropriate to accommodate local commercial and mixed uses to accommodate a full range and choice of housing types for the local population. The massing and density being proposed at this site is also appropriate. There will be no impact on existing City infrastructure, and efforts have been made to minimize its impact on adjacent residential properties.

With respect to the proposed increase in building height, staff find the additional 6.9 metres, or two storeys, to be appropriate given that the added height will: a) continue to meet the objectives of the City's current OP and its policies for intensification within proximity to transit; b) will not adversely tax the existing City infrastructure, including roads; c) will be physically separated from the majority of existing low-rise residential developments; d) will not obstruct sun and shade from the existing residential properties; and, e) is compatible in form with the adjacent retirement home on the southeast corner of Pagé Road and Innes Road.

The secondary zoning changes being sought within the Zoning By-law amendment include, reductions in required communal amenity area, as well as reduced landscaped widths around a parking lot and along existing residential zones. These changes are technical in nature, and have the purpose of accommodating the design intent of the

current proposal, while also minimizing its impact on existing residential properties. The original proposal consisted of a rooftop garden/communal amenity area. However, following the expression of privacy concerns by nearby residents, the applicants revised their proposal and now have it proposed at-grade. The communal amenity area required under the Zoning By-law is 102 square metres. The applicant has provided 86.6 square metres, with passive recreational landscaping, including trees and furniture for its residents enjoyment at ground level. Staff find that these proposed changes are reasonable and support good site design. The proposed changes to the Zoning By-law are detailed in Document 2.

Finally, this application was deemed complete after Council approval of OPA 150 and staff hold the opinion that the requested Zoning By-law amendment is consistent with the intent of the current OP. The additional two storeys requested for a mixed use building does not conflict with the policies of OPA 150, with respect to compatibility.

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 Mitic is aware of this application and staff recommendation related to this report.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility issues associated with this Zoning By-law amendment.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this Zoning By-law amendment.

TERM OF COUNCIL PRIORITIES

This report addresses the following Term of Council Priorities:

EP2 – Economic Prosperity – Support growth of local economy

HC1 – Healthy and Caring Communities – Advance equity and inclusion for the city's diverse population.

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 issues identified by the community that needed resolution.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Public Consultation Details

CONCLUSION

Staff supports the proposed zoning amendment. It is consistent with the objectives of the Official Plan and OPA 150, and represents good planning.

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

The site is located on the northwest corner of Pagé Road and Innes Road.



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 3443 Innes Road:

1. Rezone the lands shown in Document 1 from R1WW to LC[XXXX].
2. Add a new exception, XXXX, to Section 239 – Urban Exceptions with provisions similar in effect to the following:
 - a. In Column V, add the following:
 - i. Maximum height for a mixed use building, containing dwelling units, is 19.4 metres, or 6 storeys, whichever is lesser.
 - ii. The minimum required communal amenity area is 86.6 square metres.
 - iii. Minimum landscaped buffer where located abutting a residential, commercial or institutional zone from an interior lot line: 1.5 metres.
 - iv. Minimum landscaped buffer where located abutting a residential, commercial, or institutional zone from a rear lot line: 1 metre.
 - v. Minimum landscaped buffer for a parking lot: 1 metre.

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. One public meeting (Community Information and Comment Session or CICS) was also held in the community on March 29, 2018 by Planning, Infrastructure and Economic Development Department.

As a result of the public consultation process and the public meeting, twenty-nine residents and two community groups have asked to be on the notification list for the site plan control and zoning processes in order to receive future information regarding this proposal. Twenty-one residents wrote in expressing concern mostly for the impact of the massing and height of the building on the existing low-density residential character of the existing neighbourhood. The main sub-issues with the proposed development were increased traffic congestion, increased noise pollution, decrease of privacy, decreased property values for adjacent lands and decrease of passive solar energy on their lands.

Concern: Height - concerned residents feel that 6 storeys is too high, as the general Orleans character, outside of Town Centres and Arterial Mainstreet designations, is generally 4 storeys.

City Response: The City is of the opinion that the increase in height being sought at this particular location is appropriate as it is adjacent to other local commercial uses, underdeveloped lots, and is buffered from existing residential properties and zones by such aforementioned intervening parcels.

Concern: Decrease of privacy into the backyards of residential lots from Sablewood Place.

City Response: This proposal contemplates approximately four residential units per floor, for five storeys, to face Sablewood Place residential units, whose backyards face this project. In total, this would be approximately twenty apartment style units that would be facing the aforementioned residential lots. There are two intervening parcels of land, both considered underdeveloped, between the closest affected residents and this site. The intervening underdeveloped parcels, shall serve as a more appropriate

transition zone towards the low-density nature of the townhouse and semi-detached, two-storey character of the Sablewood Place enclave.

Furthermore, in order to minimize any encroachment on Sablewood Place residents' current use and enjoyment of the backyards, the Applicant has agreed to locate the building as close as possible to Innes Road and Pagé Road. The original communal amenity area from the rooftop has been relocated to the ground floor, and the balconies have been recessed into the façade of the building.

Concern: Decrease of passive solar energy within the backyards of certain Sablewood Place residential units.

City Response: During the spring and summer months, when landscaping requires sunlight, and the backyards spaces are most in use by the Sablewood Place residents, the shadow from the proposed 6-storey building will not decrease the use and enjoyment of the backyards. The shadow will be cast to the south side of the building, towards Innes and Pagé. The only time of year a shadow will be cast onto a portion - approximately half a length of the backyards - of the backyards will be during the fall months, when the use of the backyards and passive solar light for landscaping will no longer be a factor.

Concern: Congestion at intersection of Pagé and Innes, for cars travelling south on Pagé exists, and the proposed unit counts for commercial and residential at this location shall exacerbate the existing situation.

City Response: The traffic analysis documented in the traffic report confirms the existing queuing issue on the southbound approach during the AM and PM peak hours. However, the size and resulting site-generated traffic of the proposed development does not seem to have a significant impact on intersection performance. The analysis conducted suggests that vehicles may occasionally queue to access the site during peak hours. Traffic entering the site may have to periodically rely on courtesy, particularly for the north-bound left-turn movement onto the site.

Concern: Noise pollution will be increased as a result of the introduction of six commercial units and thirty-five residential units and their activities.

City Response: A noise impact assessment report has been submitted in conjunction with this Zoning By-law Amendment. There is no increase in noise as a result of this proposal for the surrounding adjacent properties.

Concern: The forested nature of the site would be taken away with this proposal. Development proposals should prioritize green spaces.

City Response: This is a private property within the urban area of the City of Ottawa. Under the Zoning By-law, there are amenity area and green space requirements for amenity areas and green spaces for private properties, which can take the form of backyards, front yards, balconies and gardens (i.e. communal amenity areas, front yards, etc.). The City recognizes that with each new development introduced in the City of Ottawa, the need for public parks and green spaces, in the form of larger holdings, increases. The City will collect Cash-in-Lieu of Parkland as per the Parkland By-law, and shall use the monies collected to buy parkland space for the enjoyment of residents, and meet increasing demands.

A Tree Conservation Report was also submitted, with an inventory of the existing species of trees on-site. This site is not part of the inventory of lands deemed important to maintain the City's urban and natural biodiversity and ecosystems.