

5. ZONING BY-LAW AMENDMENT – 11 KING STREET
MODIFICATION DU *RÈGLEMENT DE ZONAGE* – 11, RUE KING

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for 11 King Street to rezone the entirety of the property to Village Residential Second Density Zone, with a rural exception modifying the performance standards of the property in relation to lot width, corner side and rear yard setbacks, as detailed in Document 3.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification au *Règlement de zonage n° 2008-250* visant le 11, rue King en vue de rezoner toute la propriété à « zone résidentielle de village de densité 2 », assortie d'une exception rurale modifiant les normes de rendement de la propriété relatives à la largeur du lot et aux retraits des cours latérale d'angle et arrière, comme l'indique le document 3.

Documentation/Documentation

Acting Director's report, Planning Services, Planning, Infrastructure and
Economic Development Department, dated May 19, 2020
(ACS2020-PIE-PS-0053)

Rapport du Directeur par intérim, Services de la planification, Direction générale
de la planification, de l'infrastructure et du développement économique, daté le
19 mai 2020 (ACS2020-PIE-PS-0053)

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
4 June 2020 / 4 juin 2020**

**and Council
et au Conseil
10 June 2020 / 10 juin 2020**

**Submitted on 19 May 2020
Soumis le 19 mai 2020**

**Submitted by
Soumis par:
Douglas James**

**Acting Director / Directeur 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**

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Ward: RIDEAU-GOULBOURN (21)

File Number: ACS2020-PIE-PS-0053

SUBJECT: Zoning By-law Amendment – 11 King Street

OBJET: Modification du *Règlement de zonage* – 11, rue King

REPORT RECOMMENDATIONS

- 1. That the Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 11 King Street to**

rezone the entirety of the property to Village Residential Second Density Zone, with a rural exception modifying the performance standards of the property in relation to lot width, corner side and rear yard setbacks, as detailed in Document 3.

2. That the Agriculture and Rural Affairs 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 June 10, 2020" 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'agriculture et des affaires rurales recommande au Conseil d'approuver une modification au *Règlement de zonage n° 2008-250* visant le 11, rue King en vue de rezoner toute la propriété à « zone résidentielle de village de densité 2 », assortie d'une exception rurale modifiant les normes de rendement de la propriété relatives à la largeur du lot et aux retraits des cours latérale d'angle et arrière, comme l'indique le document 3.
2. Que le Comité de l'agriculture et des affaires rurales 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 10 juin 2020, 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

The property, known municipally as 11 King Street, is located on the west side of King Street, approximately 75 metres south of Perth Street, in the village of Richmond.

Owner

Toscano Land Corp.

Applicant

The Stirling Group

Description of site and surroundings

The property is located on the west side of King Street, approximately 75 metres south of Perth Street, in the village of Richmond. The property is bound on the west side by Cockburn Street, to the east by King Street and to the south by an unopened portion of Christopher Hamilton Street. The subject property is currently vacant and located within an area of predominantly single detached dwellings. Two commercial properties are located to the north of the subject property with frontage along Perth Street.

The land to be rezoned consists of approximately 1.6 hectares, with approximately 120 metres of frontage on King Street, 125 metres of frontage on Perth Street, and 130 metres on the unopened portion of Christopher Hamilton Street.

Summary of requested Zoning By-law amendment proposal

The subject property is currently zoned Village Residential First Density Zone, Subzone C (V1C), which permits the detached dwellings, and Village Residential Third Density Zone, Subzone A (V3A) which permits a range of low and medium density housing types, including but not limited to; detached dwellings, semi-detached dwellings, and townhouse dwellings. A small portion of the lot is currently zoned Village Mixed-Use,

Subzone 8 (VM8) and subject to the Village Residential Enterprise Overlay due to a miss-alignment between the current zoning and the property lines. The current zoning establishes a lower density on the periphery of the lot, and the higher density on the interior of the lot.

The proposed Zoning By-law Amendment is to accommodate draft Plan of Subdivision application D07-16-10-0020, for semi-detached (24 units) and detached (one unit) dwellings. The proposed amendment would change the zoning of the property to Village Residential Second Density Zone, Subzone E (V2E) with a rural exception (V2E-xxxr). The amendment removes a small portion of the Village Residential Employment Overlay which encroaches onto the Subject Property through a mapping error. The rural special exception to amend the zone provisions are as follows:

- minimum lot width for a semi-detached dwelling unit of 9.0 metres, rather than the 10 metres currently required
- minimum corner side yard setback of 3.0 metres, rather than the 6.0 metres currently required
- minimum rear yard setback of 10.0 metres, rather than the 6.0 metres currently required

The details of the proposed zoning are located within Document 3 of this report.

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by City Council for Zoning By-law amendments. The proposal was subject to public notification. A public information package was mailed to property owners with properties within 120 metres of 11 King Street, various Community Associations, and Councillor Glenn Brooks (former Rideau-Goulbourn ward Councillor) in March of 2010. In addition, a development sign was posted on the property.

A public meeting was held for the subdivision application, associated with the rezoning, on February 15, 2012 at the Richmond Community Centre, at which the proposed

subdivision was presented and discussed. City staff, representatives from Toscano Land Corp. and Councillor Scott Moffatt were present at the public meeting.

The Richmond Village Community Association and six members of the public provided comments and/or concerns. Some of the six members of the public who had commented on the Zoning application also attended the public meeting for the Plan of Subdivision and/or provided similar comments and concerns for the subdivision application.

Further circulation was sent out on August 2018 and June 2019, to those who previously commented in relation to either the Subdivision or Zoning By-law Amendment applications to outline changes to the proposed draft plan. Changes from the original Concept Plan include moving to a public water supply by connecting the proposed development to the Kings Park Communal Well, as well as changing the unit type and count from 40 semi-detached dwellings units to 26 semi-detached dwelling units and 20 townhouse dwelling units. No additional circulation was made when the applicant reverted to a private water proposal and to a complete semi-detached proposal.

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

Official Plan designations

The subject property is designated as 'Village' in Schedule A – Rural Policy Plan of the Official Plan.

The intent of the Village designation is to permit a variety of land uses to provide for the daily needs of the rural community and to ensure that they remain distinctly rural in character and scale (Policy 3.7.1.1). Residential uses are permitted in this designation, including a wide range of housing forms to meet the needs of the Village's population (Policy 3.7.1.10). The form and scale of development will be based on the available servicing, which in the case of this area of Richmond, lands are serviced by means private water and municipal sewer (Policy 3.7.1.10). Through the Subdivision application, it has been demonstrated that there is sufficient water quantity to support the proposed development with private water services, and that the development will not impact water quality of the aquifer. Wells are proposed in the rear yards of the lots, with access to the wells by means of a 6-metre rear yard easement over the unopened Christopher Hamilton right-of-way. While Block one was initially proposed as a semi-detached dwelling, through discussion with the applicant, a detached dwelling will be built on this block in order to accommodate access to the rear yard well.

Other applicable policies and guidelines

Richmond Secondary Plan

The subject property is also identified as Residential – One and Two Unit in the Richmond Secondary Plan. The uses permitted in this designation include detached dwellings, semi-detached dwellings and duplexes. The Secondary Plan states that the City will evaluate a development proposal against its ability to meet the Village of Richmond Community Design Plan. The proposal complies with the intent of the Secondary Plan by proposing semi-detached (24 units) and detached (one unit) dwellings.

Village of Richmond Community Design Plan

Schedule A – Land Uses, of the Village of Richmond Community Design Plan identifies the subject lands as 'Residential – One and Two Unit'. The uses permitted in this designation include detached and semi-detached dwellings and duplexes. The proposal

meets the intent of the Community Design Plan as detached and semi-detached dwellings are proposed.

Planning rationale

The property is currently dual zoned to permit a variety of residential uses, including single detached, semi detached and townhouse dwelling units. The proposed zoning by-law amendment balances the density of the property by proposing 24 semi-detached dwellings units and one detached dwelling. The reduced lot width of nine metres (from 10 metres required) contributes to a proposed built form which supports the intensification of the Village of Richmond by increasing the density of the larger neighbourhood, while offering adequate transition to the adjacent Village Core designation along Perth Street, to the north. Due to the proximity to the Village Core, the development encourages active transportation and supports the businesses on Perth Street.

The proposed reduction of the minimum corner side yard setback from six metres to three metres, accommodates the development of the semi-detached dwellings on Blocks seven and eight which abut the unopened portion of Christopher Hamilton Street. This setback is reflective of the corner side yard setback of the adjacent properties along Perth Street and contributes to the transition in form from detached dwellings of the surrounding area towards the Village Core along Perth Street. The proposed increase to the rear yard setbacks of the property reflects the need for a six-metre easement along the rear of the properties to allow for access to the rear yard wells for maintenance and, if required, replacement. The increase in setback ensures there is sufficient space for the easement, well, and amenity space.

In relation to sanitary and water services, the proponent has demonstrated that the proposed development can be serviced by the municipal sewer system, and by private well water service.

The zoning by-law amendment implements the policies of the Secondary Plan and reflects the built form proposed in the Community Design Plan.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement of 2014 and 2020.

RURAL IMPLICATIONS

There are no rural implications associated within this proposal.

COMMENTS BY THE WARD COUNCILLOR

Councillor Moffatt is aware of the application associated with this report.

LEGAL IMPLICATIONS

There are no legal impediments to implementing the recommendation of this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with the recommendations in this report.

ASSET MANAGEMENT IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this proposal.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- EP2 – Support Growth of the Local Economy
- HC3 – Create new and affordable housing options

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 servicing discussions associated with subdivision application D07-16-10-0020.

SUPPORTING DOCUMENTATION

Document 1 Location Map 1

Document 2 Location Map 2

Document 3 Details of Recommended Zoning

Document 4 Consultation Details

CONCLUSION

Planning, Infrastructure and Economic Development Department supports this Zoning By-law amendment because it is consistent with the Provincial Policy Statement and meets the intent of the City's Official Plan.

DISPOSITION

Legislative Services, Office of the City Clerk to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

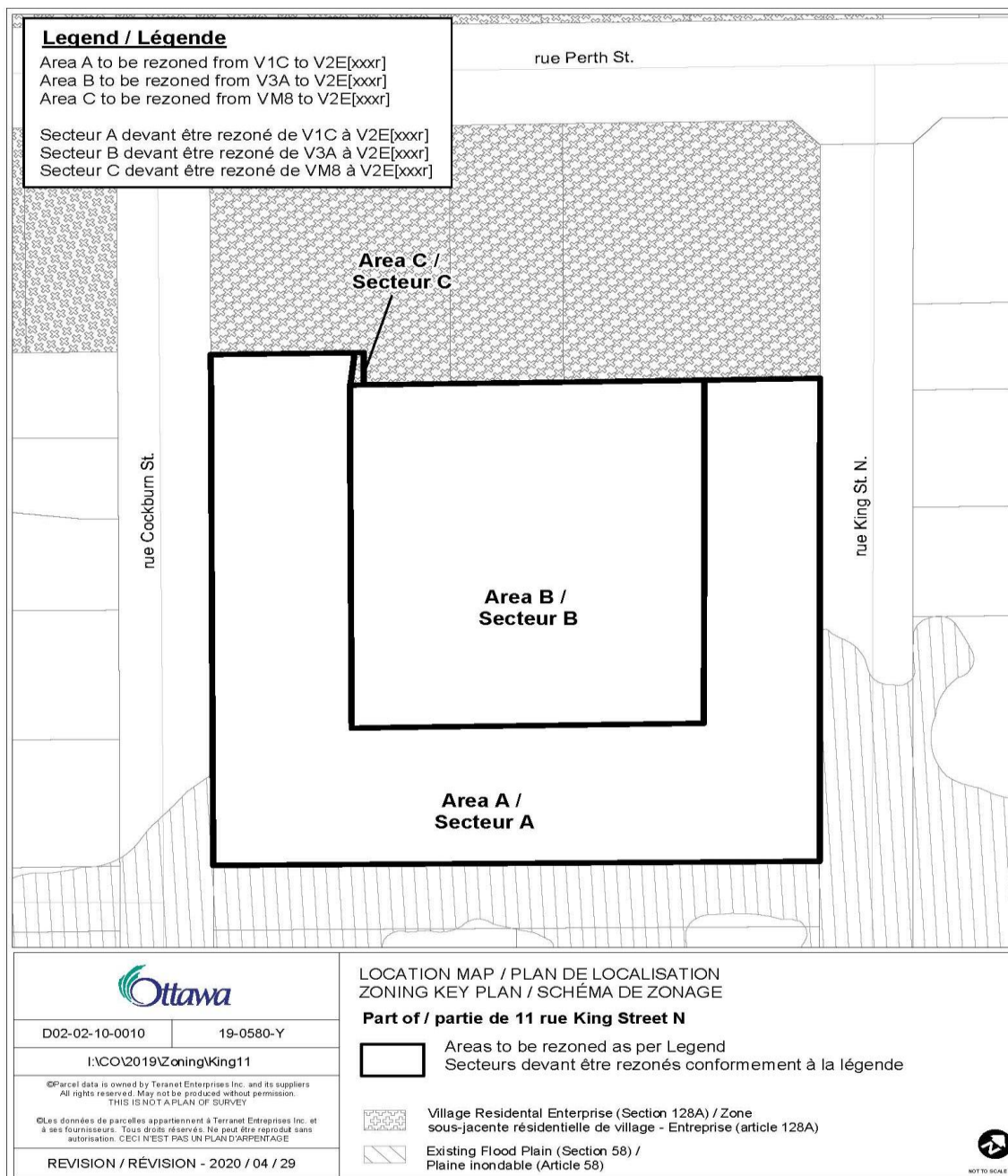
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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

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

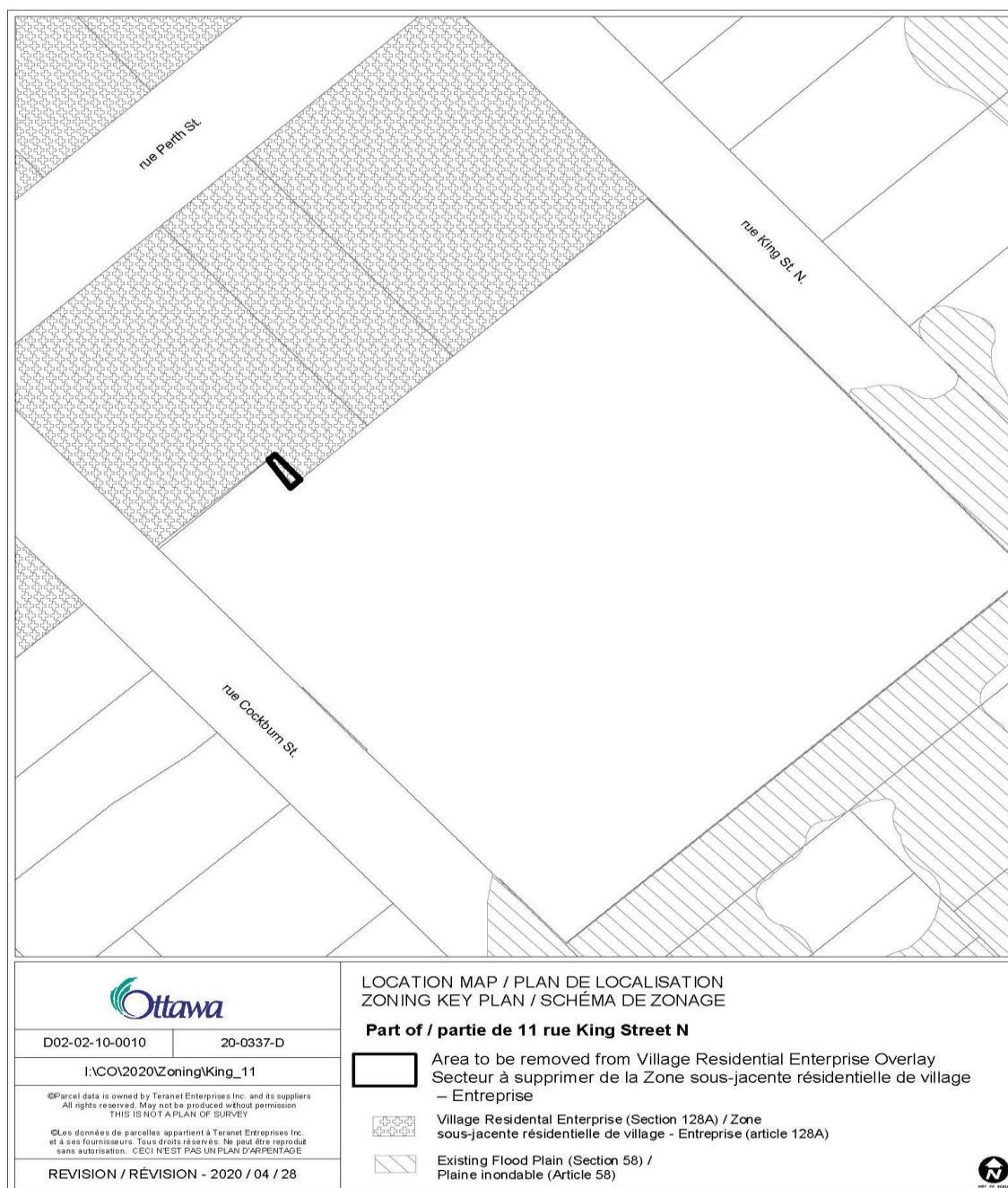
Document 1 – Location Map 1

For an interactive Zoning map of Ottawa visit geoOttawa.



Document 2 – Location Map 2.

For an interactive Zoning map of Ottawa visit [geoOttawa](https://geoOttawa.ca)



Document 3 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 11 King Street:

1. Rezone the lands as shown in Document 1 and 2.
2. Add a new exception to Section 240 – Rural Exceptions with provisions similar in intent to the following:
 - a) In column II add the text, “V2E [xxxr]”
 - b) In column V, add the following”
 - minimum lot width, for a semi-detached dwelling unit: 9.0 metres
 - minimum corner side yard setback: 3.0 metres
 - minimum rear yard setback: 10.0 metres

Document 4 – Consultation Details

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by City Council for Zoning By-law amendments. The proposal was subject to public notification. A public information package was mailed to property owners with properties within 120 metres of 11 King Street; various Community Associations; and Councilor Glenn Brooks (former Rideau-Goulbourn ward councilor) in March 2010. In addition, a development sign was posted on the property.

A public meeting was held for the subdivision application, associated with the rezoning, on February 15, 2012 at the Richmond Community Centre, at which the proposed subdivision was presented and discussed. City staff, representatives from Toscano Land Corp. and Councillor Scott Moffatt were present at the public meeting.

The Richmond Village Community Association and six members of the public provided comments and/or concerns. Some of the six members of the public who had commented on the Zoning application also attended the public meeting for the plan of subdivision and/or provided similar comments and concerns for the subdivision application.

Comment:

Community Association Comments and Responses

The Community Association requested clarification on:

- the number of wells to service the development
- whether parkland would be dedicated to the City of Ottawa
- handling of stormwater.
- amount of on-street and private parking permitted.
- why the Floodplain was proposed to be lifted

Response:

The number of wells, parkland dedication and stormwater management are items that are review through the subdivision application process. However, it can be noted that:

- One well per dwelling unit is proposed (was 40, now a total of 25).
- Cash in-lieu of parkland will be provided for this proposed development.
- Applicant has demonstrated that stormwater management that meets City requirements can be achieved with the proposed development. Please note that stormwater would drain into the existing Christopher Hamilton Street system and out to the Hamilton Drain.

Each unit is proposed to have a garage and single lane driveway. The size of each lot will dictate the number of vehicles able to park on private property. The number of cars parking on private property is not regulated through zoning. On street parking is regulated through the Traffic and Parking By-law and also is not regulated through zoning.

Originally the applicant requested lifting of the flood plain overlay for this property, however it was removed, as a correction, through another City and Conservation Authority Process outside the review of this application.

Public Comments and Responses

Comment:

Concern that semi-detached units will change the structure of the area where there are currently individual homes on large lots.

Response:

Semi-detached units and townhouses are currently permitted with the existing zoning. In addition, although many of the homes in the immediate area are single detached units, there are townhouses adjacent to the subject property along King Street.

Comment:

Concern that semi-detached units will introduce low cost housing to the area, which will bring down property values and increase the risk of crime.

Response:

Semi-detached units and townhouses are currently permitted with the existing zoning. It is not the role of staff to review applications in the context of property values. Increase in crime is a personal bias of the member of the public and unsubstantiated. In addition, the City strives for a wide range of housing forms to meet the needs of the Village's population, including semi-detached housing.

Comment:

Concern that water quality and quantity for existing wells in the area will be compromised.

Response:

The proponent has demonstrated that water quality and quantity meet City requirements and can be achieved with the proposed development.

Comment:

Concern that the septic discharge cannot be accommodated with current system.

Response:

The City is satisfied that the municipal sewer system has sufficient capacity to service the proposed development, as the proposal is infill and has previously been accounted for.

Comment:

Concern with increase in traffic.

Response:

The City is satisfied that the transportation system has sufficient capacity for the proposed development.

Comment:

Concern that development does not contemplate the Richmond CDP.

Response:

The application for the development came in ahead of the community design plan and was not required to be in compliance with the document. However, the proposed zoning actually meets the intent of the Richmond Secondary Plan and the Village of Richmond Community Design Plan, more closely than the existing zoning in that the Plans do contemplate semi-detached units but not townhouses.

Comment:

Concern with lifting the flood plain overlay

Response:

Originally, the applicant requested lifting of the flood plain overlay for this property; however, it was removed, as a correction, through another City and Conservation Authority Process, outside the review of this application.

Comment:

Concern with Stormwater management

Response:

Stormwater management is review through the subdivision application process. However, it can be noted that the applicant has demonstrated that stormwater management, that meets City requirements, can be achieved with the proposed development. Please note that stormwater would drain into the existing Christopher Hamilton Street system and out to the Hamilton Drain.

Comment:

Concern with the impact of construction vehicles on the streets in the area

Response:

Construction traffic is not regulated through zoning. However, it can be noted that construction traffic plans are determined through a commence work permit and regulated through that process.

Further circulation was sent out on August 13, 2018, to those who previously commented in relation to either application to outline changes to the proposed draft plan. These changes included a modification to the servicing of the proposed development by moving from private wells to extending the municipal well water service to the proposed development. Comments from this circulation are outlined below.

Comment:

Concerns with increase in traffic.

Response:

Advised that there are no current plans for any traffic calming measures along King Street.