

1. ZONING BY-LAW AMENDMENT – 266 AND 270 BYRON AVENUE
MODIFICATION AU RÈGLEMENT DE ZONAGE – 266 ET 270 AVENUE
BYRON

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for 266 and 270 Byron Avenue to permit a four-unit low-rise apartment building, on each property, as detailed in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification au Règlement de zonage n^o 2008-250 visant le 266 et le 270, avenue Byron, afin de permettre l'aménagement d'un immeuble résidentiel de faible hauteur comportant quatre unités, sur chacune des propriétés, comme le précise le document 2.

DOCUMENTATION/DOCUMENTATION

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department dated 27 September 2017 (ACS2017-PIE-PS-0111)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 27 septembre 2017 (ACS2017-PIE-PS-0111)
2. Extract of draft Minutes, Planning Committee, 10 October 2017

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 10 octobre 2017
3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of 8 November 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 8 novembre 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
10 October 2017 / 10 octobre 2017**

**and Council / et au Conseil
October 25, 2017 / 25 octobre 2017**

**Submitted on September 27, 2017
Soumis le 27 septembre 2017**

Submitted by

Soumis Par:

**Lee Ann Snedden,
Director / Directrice,**

Planning Services / Service de la planification

**Planning, Infrastructure and Economic Development Department / Direction
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Department / Services de la planification, de l'infrastructure et du développement
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Ward: KITCHISSIPPI (15)

File Number: ACS2017-PIE-PS-0111

SUBJECT: Zoning By-law Amendment – 266 and 270 Byron Avenue

OBJET: Modification au Règlement de zonage – 266 et 270 avenue Byron

REPORT RECOMMENDATIONS

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 266 and 270 Byron Avenue to permit a four-unit low-rise apartment building, on each property, 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 25 October 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 n^o 2008-250* visant le 266 et le 270, avenue Byron, afin de permettre l'aménagement d'un immeuble résidentiel de faible hauteur comportant quatre unités, sur chacune des propriétés, comme le précise le document 2
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et de l'avocat général et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes du projet de loi 73 », à la réunion du Conseil municipal prévue le 25 octobre 2017, à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

BACKGROUND

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

Site location

266 and 270 Byron Avenue

Owner

Peloso Construction Company Limited

Applicant

Teresa Thomas, Novatech

Description of site and surroundings

The site is located on the south side of Byron Avenue, between Kensington Avenue and Hilson Avenue in the Hampton-Iona neighbourhood of Ward 15.

The site, which includes both properties, is 782.1 square metres in size and currently contains two three-storey three-unit dwellings, one on each property, with a shared driveway between the buildings leading to rear yard parking. The surrounding area includes a mix of low-rise residential uses with primarily single and semi-detached dwellings in the neighbourhood south of Byron Avenue, and a variety of low-rise apartment buildings along the south side of Byron within the immediate block between Kensington Avenue and Hilson Avenue.

Summary of requested Zoning By-law amendment proposal

The applicant is proposing low-rise apartment buildings by adding a fourth dwelling unit in the basement to each of the existing three-unit dwellings.

The properties are currently zoned Residential Third Density, Subzone S (R3S), which permits up to three dwelling units in a mix of residential building forms ranging from detached to townhouse dwellings.

The applicant is requesting an amendment to the Zoning By-law, to rezone the lands to an "R4" zone to effectively permit the fourth unit in each building. The conversion of the existing buildings to a low-rise apartment building also requires a reduction in the rear yard amenity area and interior side yard setbacks. While not pertaining specifically to an apartment use, a request to reduce the required parking space width is also included.

The amendment contains the following:

- Rezone the property to R4F (residential fourth density zone, subzone F), which permits apartment, low-rise;
- Permit a minimum interior side yard setback of 2.0 metres for an apartment, low-rise;
- Permit a reduced amount of rear yard amenity area to 12.5 square metres per dwelling unit; and
- Permit a reduced minimum parking space width of 2.4 metres.

Brief history of proposal

The existing three-unit dwellings at 266 and 270 Byron were subject to approval by the Committee of Adjustment (CofA).

The CofA approved consent applications for severance which resulted in the two properties, and variances for both buildings relating to the front yard setback and projections into the front yard.

Approval was granted on March 18, 2015, and the three-unit dwellings were issued the respective building permits on June 18, 2015.

This application does not negate the minor variances as both land uses (existing three-unit dwelling, and proposed low-rise apartment) require the same front yard setback and projection provisions, as per the Mature Neighbourhood Overlay.

As explained in the rationale, the request for Zoning By-law amendment has been reviewed on its own merit.

DISCUSSION

Public consultation

Notification and public consultation was undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications. Approximately six respondents commented on the proposal.

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 City's Official Plan.

Other applicable policies and guidelines

The Urban Design Guidelines for Low-rise Infill Housing provide a framework to encourage quality design and infill development that is compatible. Relevant to this proposal, the guidelines encourage desirable planned neighbourhood patterns for setbacks, and by maintaining rear yard amenity area with appropriate greenery, and limiting areas occupied by parking spaces for greater amounts of soft landscaping.

PLANNING RATIONALE

***Planning Act* and Provincial Policy Statement**

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 the appropriate location of growth and development.

In addition, 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 considered consistent with the matters of Provincial interest as outlined in the *Planning Act* and are in keeping with the PPS, 2014 by promoting efficient development and intensification with a built form that supports a healthy, active community in proximity to community services and amenities.

Official Plan Polices

This application has been reviewed under the consolidated Official Plan (2003) with regard for the Council approved amendment contained within Official Plan Amendment 150 (OPA 150). Given the nature of the proposed amendment, the policies introduced by OPA 150 generally do not impact this proposal, and as such the rationale below is focused on the Official Plan policies in effect.

The site is designated as General Urban Area (Section 3.6.1), which permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstance. Residential intensification through infill will respond to

the existing character to enhance desirable patterns and built form, while also achieving a balance of housing types and tenures.

Section 2.2.2 – Managing Growth within the Urban Area, through Policy (15), speaks to supporting intensification in the interior portions of stable, low-rise residential neighbourhoods where development will enhance and complement desirable characteristics and the area's pattern of built form and open spaces. The subject properties are located on a block along Byron Avenue whereby all the properties west of the site to Hilson Avenue consists of low-rise apartment buildings ranging from six to 12 units per building. The previously constructed three-unit dwellings will not change in built form as the additional unit is internal, and given the existing character and presence of the apartment buildings on Byron Avenue, the addition of the fourth dwelling unit in each building complements the areas built form. Furthermore, the three-unit dwellings were built at a time when the Zoning By-law required 0.5 parking spaces per unit. Through this application, and implemented via Site Plan Control, the development will continue to provide two parking spaces per building, but the surface parking area has been minimized, through reduced parking space widths and providing minimum aisle widths, in order to maximize the amount of rear yard amenity area and landscaping.

Section 2.5.1 and 4.11 of the Official Plan provides policy direction for urban design and compatibility. Section 2.5.1 is broad in nature with design objectives such as defining quality spaces, ensuring safety and accessibility, respecting the character, as well as considering adaptability, and sustainability.

Section 4.11 can be applied to individual properties and provides direction on impacts between new and existing development. Key design and compatibility items, such as the design and function of the amenity area and parking, or landscaping, will be implemented through Site Plan Control. Relevant to the proposal, Section 4.11 contains policy that includes development having adequate on-site parking to minimize spillover into adjacent area, and to respect outdoor amenity areas of surrounding residential properties. Although the application is being driven by the request to add a fourth unit in each building (existing three-unit dwelling), the relief to the interior sideyard setback is to reflect the existing location of the buildings relative to the interior side lot lines, and fits within the streetscape. The parking spaces have been reduced in width in order to maximize the amount of rear yard amenity area and landscaping around the perimeter of the site. With the fourth unit, the rear yard amenity area (approximately 50 square metres), although smaller than what is required (60 square metres), is considered

useable and functional in size and location. Through Site Plan, the amenity area/landscaping can be enhanced through the inclusion of items such as a picnic table.

While the current zoning by-law does not require any parking, the development (three-unit dwellings) was built at a time when two parking spaces were required per building. Understanding that the three-unit dwellings were built with some parking, the department is willing to maintain two parking spaces per property, but wanted to ensure that the addition of the fourth unit resulted in a functional site (bicycle parking, amenity, waste/refuse storage etc.) and complemented the existing character.

Staff are satisfied that the requested Zoning By-law amendment is consistent with the Official Plan and OPA 150. The proposal allows for intensification within an existing built form that is consistent with the surrounding context, and includes site improvements such as landscaping that ensures compatibility and desirable spaces in relation to surrounding residential properties. Through the processing of this application, the proposal was revised to remove additional parking spaces in an effort to maximize the rear yard amenity area and landscaping for better alignment with the Zoning By-law and consistency with the Official Plan. Adding a fourth unit in the basement of each building results in the land use changing from a three-unit dwelling to a low-rise apartment building, and although this results in a zoning amendment from "R3" to "R4", the existing built form along this section of Byron Avenue consists of apartment buildings and the subject site is an appropriate location to reflect that character.

The corresponding Site Plan application will not be approved until such time as Staff are satisfied with landscaping improvements on site, such as landscaping the front yard, and reinstating the amenity area / landscaping in the rear yard.

Zoning Details

As detailed in Document 2, the proposed Zoning By-law amendment will rezone the site to an "R4" zone with a site specific exception [xxxx] for various performance standards. The following summarizes the rationale for approving the amendment:

- 266 and 270 Byron Avenue are existing three-unit dwellings with permitted rear yard parking (two spaces per building). The site is being rezoned to "R4F" because the residential fourth density zone permits low-rise apartments and subzone F limits the number of dwelling units to four. Given the immediate existing context with apartment buildings making up the character along this

block of Byron Avenue, the department has no concerns with this site allowing an apartment building as a permitted use.

- The three-unit dwellings were built with a minimum 2.0 metres side yard setback. The R4F zone requires a minimum side yard setback of 3.0 metres for an apartment, low-rise. Since the proposed apartment is a result of adding a fourth unit in the basement of each building, the built form impacts are not affected, and the department has no concerns with using the existing setback for permission in the conversion from a three-unit dwelling to a low-rise apartment.
- With the inclusion of two parking spaces per building, the site was proving difficult to comply with the rear yard amenity area provisions. The amendment allows the required 60 square metres to be reduced to 50 square metres. Acceptance of this reduction is premised on the history of the development being built at a time when parking was required, and secondly on the satisfaction that the provided amenity is useable and functional. Through Site Plan Control the landscaping will be enforced and the dedicated amenity area can be enhanced for usability, such as providing picnic tables. The parking spaces were reduced to 2.4 metres in width in an effort for further improvements on amenity area and landscaping.

The department notes that while the method taken by the applicant to permit a low-rise apartment building represents a piecemeal approach, and although the Department would prefer a more transparent and comprehensive process, whereby an apartment building is requested from the outset, the Department reviews every application on its own merit for good planning and consistency with applicable policy. It should be noted that a request for an "R4" zoning to permit the construction of two, new four-unit, low-rise apartments on the subject properties, would also have resulted in the same departmental position as concluded in this report. The immediate context warrants a compatible apartment building.

Consequently, the department supports the proposed Zoning By-law amendments and is of the opinion that the proposal is consistent with the Official Plan, and represents appropriate intensification that is compatible with its surroundings.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Leiper provided the following comments:

“The application being made to normalize the fourth dwelling units in the two buildings through re-zoning is yet another after-the-fact request that can only increase mistrust in the planning process on the part of residents. In February 2015, the applicant sought permission from the Committee of Adjustment to build two, three-storey triplexes. It was no surprise, however, that fourth units were roughed in and serviced during construction. Developers seek to avoid up-front administrative costs and complexity by applying for one type of building, build extra units in what are nominally proposed as “storage areas”, then seek forgiveness later. Residents will often see marketing material advertising the availability of those units even before that after-the-fact permission is granted.

When this building was proposed to the Committee as a triplex, the only variances sought were to permit setting the buildings a fraction more than allowed from the main street.

Under the new zoning proposed, R4, the low-rise apartments no longer meet the performance standard for amenity area nor side yards, which has triggered the request in this rezoning for further relief than that already granted by the CoA.

Situations such as these are the water torture of planning for residents. It is a steady drip-drip-drip of applications and approvals that ultimately result in the developer getting everything they are seeking without transparency to the community on which they're imposing the buildings. It breeds resident resentment that they can only watch the process unfold to an inevitable and unwelcome conclusion.

I do appreciate that the developer in this instance has worked with the Planning Department to remove the third parking space in each building in order to provide greater amenity space and landscaping in the rear. Green space is important, and the opportunity to serve a growing car-free market to reduce the traffic impacts of intensification is important.

On the whole, however, Council should be sending a strong message to builders to be up-front with the community about what they are building and to lay their cards on the table at the outset of the process. Ultimately, this will result in smoother, more transparent and less contentious planning processes overall.”

LEGAL IMPLICATIONS

There are no legal implications in respect of implementing the recommendations contained within the report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

TM2 – Provide and promote infrastructure to support safe mobility choices.

HC3 – Create new affordable housing options.

APPLICATION PROCESS TIMELINE STATUS

This application was processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

CONCLUSION

The Planning, Infrastructure and Economic Development department supports the application and proposed Zoning By-law amendment. The conversion of the existing three-unit dwellings into an apartment, low-rise by adding a fourth unit in the basement is a suitable form of intensification, and the site will be improved with more landscaping and useable amenity areas for the tenants. The Official Plan promotes intensification

that is desirable and compatible. The short block of Byron Avenue in which the subject site is situated consists of existing apartment buildings, and the proposal complements this built form and enhances desirable characteristics, such as reducing the amount of parking area and maximizing the amount of soft landscaping. The requested amendment represents good planning and is consistent with the Official Plan.

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.

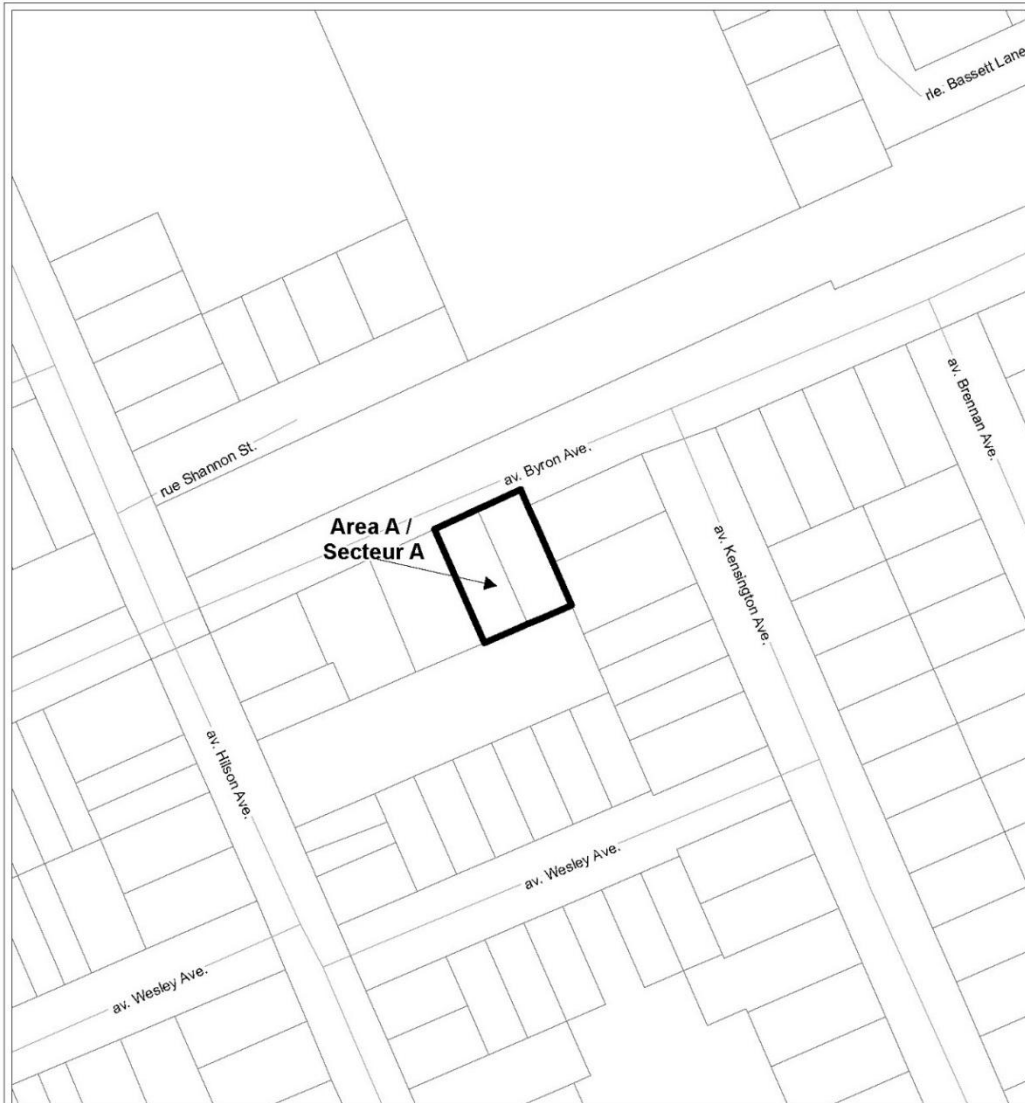
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.



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



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE SITE PLAN / PLAN D'EMPLACEMENT 266, 270 avenue Byron Avenue	
D02-02-17-0037	17-1264-D		
I:\CO\2017\Zoning\Byron_266_270_V2			
<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 appartiennent à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CE CI N'EST PAS UN PLAN D'ARPENTAGE</small>			
REVISION / RÉVISION - 2017 / 09 / 01		<div style="display: flex; align-items: center;"> <div style="border: 2px solid black; width: 20px; height: 10px; margin-right: 5px;"></div> <div> <p>Area A to be rezoned from R3S to R4F[XXXX] Le zonage du secteur A sera modifié de R3S à R4F[XXXX]</p> </div> </div>	
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)			
			 <small>NOT TO SCALE</small>

Document 2 – Details of Recommended Zoning

The proposed amendment to the City of Ottawa Zoning By-law 2008-250 for 266 and 270 Byron Avenue is as follows:

1. Rezone the lands as shown in Document 1.
2. Amend Section 239, by adding a new exception [xxxx] with provisions similar in effect to the following:
 - a. In Column V, add provisions similar in effect to the following:
 - i. A motor vehicle parking space is permitted a minimum width of 2.4 metres.
 - ii. An Apartment Dwelling, Low-rise is subject to the following provisions:
 - Minimum required interior side yard setback is 2.0 metres;
 - Despite Table 137, rows (3) and (12), column (II), the minimum total amenity area required is 12.5 square metres per dwelling unit.

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.

Approximately six individuals commented on the application, and the following summarizes, in no particular order, a list of the concerns/items raised:

Comment:

The owners knew exactly what they were doing when they built the triplexes. They built four unit buildings when the zoning permitted three units. They are not adding a fourth unit. The fourth unit has been there all along. The City should have recognized this when the building permit was issued.

Response:

Although it may have appeared to of been set up for a building with four units, the permit issued for construction and occupancy was for a three-unit dwelling, in both buildings. Anyone has the right to submit an application, and in this instance, the department supports the four-unit apartment building for the reasons outlined within this report. The Site Plan application, through conditions and securities, will enforce the landscaping and amenity area, and other items such as reinstating the curbs and sidewalk.

Comment:

Developers should be required to disclose their entirety of the project before they start.

Response:

While the department is generally supportive of this comment, it is a difficult endeavour to enforce, and such an approach to a development project is at the applicant/developers risk. The Department will continue to encourage development transparency with potential applicants, and will review each application on its own merit.

Comment:

These are newly constructed apartments and it would seem that the developer is having second thoughts about their design and wants to inconvenience the tenants of the building and the neighbourhood with yet again more construction.

Response:

The construction associated with this proposal is limited as the proposed fourth unit in each building is internal to the existing building with the additional unit going in the basement. The rear yard requires new parking and landscaping areas.

Comment:

Byron is a busy roadway and when these construction projects happen they disrupt traffic on the road and on the sidewalk.

Response:

All construction must occur in accordance with applicable City By-laws, such as the Noise By-law or maintaining property standards during construction. Should any disruptions occur during construction, residents can call 3-1-1.

Comment:

Opposed to the expansion of the building into apartments.

Response:

The department supports the rezoning to allow the conversion of the existing three-unit dwellings into low-rise apartment buildings, with four units in each, as outlined in the report. Apartment buildings already exist along this block of Byron Avenue and the proposed Site Plan alterations (landscaping, parking) and built form fit well within the existing character and will not cause any undue adverse impacts. The Official Plan supports intensification where the development can complement desirable area characteristics and existing built form and open spaces. The development is compatible with the existing streetscape, and through the review of this application, and the corresponding Site Plan application, the landscaping and amenity area will be enhanced, and the parking area has been minimized.

Comment:

Do not support this application. Developers should not be allowed to intentionally develop buildings that they plan to apply for a zoning change after the building is already built. Clearly these buildings were always built with the intent to have 4 units, despite that not being allowed as per the current zoning.

The community does not appreciate a build first, ask for variances/rezoning after the fact approach, which is becoming a disturbing trend in the community.

If the developer had applied for a zoning change prior to construction, that would have been an appropriate time to discuss the merits of this application. Instead, the developer is trying to sneak this past the community after the fact, which is a dangerous precedent to accept.

Response:

As stated in the report, staff would prefer a more comprehensive approach over a piecemeal approach to development, ultimately it is the department's role to review such an application based on good planning. In this case, the rezoning is being supported for the reasons outlined in the planning rationale above, but it is important to note that each application is reviewed on its own merit, and a similar request in other parts of the community may not yield the same staff recommendation.

Comment:

This developer clearly has no interest in respecting existing bylaws, as it appears they have also in effect created two additional parking spots in front of the two buildings by leaving part of the front landscaping as gravel with curb cut outs instead of grass, which is not shown on the submitted site plan. There are frequently cars parked on these areas.

Response:

The revised Site and Landscape Plans show the curbs being reinstated to full height and the front yards being landscaped. The applicant/developer was advised to make such improvements and this will be enforced through the Site Plan application, including the use of conditions and securities, if necessary.

Comment:

How will increased parking on Kensington be controlled, and what amenities are being lost?

Response:

The current Zoning By-law in effect does not require any parking for this development. However, the three-unit dwellings were built at a time when two parking spaces were required for each building, and those spaces will continue to be provided through this application. The department is of the opinion that the provided parking is sufficient and will not cause spillover parking on the surrounding streets, such as Kensington. The referenced amenity is the rear yard amenity area required for this development. The application reduces the required 60m² to 50m² per building. The Department is satisfied with the usability and functionality of the provided amenity area for tenants of the development.

Comment:

The city has already demonstrated its support for intensification by granting a building permit to the applicants enabling the construction of six units in place of three that existed previously.

Response:

Good planning is not solely measured on a degree of intensification, but rather on policy direction such as urban design and compatibility, for example, and site context plays a key role. The existing built form of apartment buildings on this block of Bryon Avenue contributed to the appropriateness of this application, such that creating apartments by adding a fourth unit in the basement of each buildings, fits well amongst the existing context and is a compatible land use within its surroundings.

Comment:

The existing buildings are one storey taller than the existing apartment buildings on the street and do not complement the character. The three-unit dwellings could have been built in one less storey with a unit in the basement, main floor, and second storey to represent a better fit and appropriate amount of intensification.

Response:

The existing three-unit dwellings were built under the current zoning, R3S, which permits a maximum building height limit of 10.7 metres. The rezoning to R4F, permits a maximum building height of 11.0 metres for an apartment, low-rise. In any event, the height of the existing buildings are 9.65 metres and comply with the Zoning By-law.

Comment:

Byron Avenue should not be treated as an edge condition or referred to as a buffer or area of transition to the balance of the neighbourhood to warrant intensification.

Response:

The surrounding residential neighbourhood of the subject site consist of a variety of low-rise (four for less storeys) housing types, with the predominant built form being single-detached and semi-detached dwellings. However, the block on Bryon Avenue in which the development is situated consist of apartment buildings with a range of 6 to 12 units. The proposed building is compatible with the existing context.

Comment:

The same argument used in this application can be made for any property within the neighbourhood, especially since other apartments exist, and this would be inappropriate. This application will serve as a benchmark for similar requests in the neighbourhood.

Response:

Each application is reviewed on its own merit, and as acknowledged in the report, similar requests for rezoning within the community may not be viewed as favourably, depending on the site context, and rationale of applicable policy.

Community Organization Comments and Responses

Staff did not receive any comments from a registered community group.