

7. ZONING BY-LAW AMENDMENT – 991 CARLING AVENUE
MODIFICATION AU RÈGLEMENT DE ZONAGE – 991, AVENUE CARLING

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for 991 Carling Avenue to permit a temporary three-year parking lot, as detailed in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification au Règlement de zonage 2008-250 pour la propriété située au 991, avenue Carling, en vue de permettre un terrain de stationnement pour une durée temporaire de trois ans, comme l'explique en détail le document 2.

DOCUMENTATION/DOCUMENTATION

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated 12 October 2017 (ACS2017-PIE-PS-0121)

Rapport de la Directrice, Service de la planification, Direction générale de la planification, de l'infrastructure et du développement économique daté le 12 octobre 2017 (ACS2017-PIE-PS-0121)
2. Extract of draft Minutes, Planning Committee, 24 October 2017

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 24 octobre 2017
3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of 22 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 22 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
24 October 2017 / 24 octobre 2017**

**and Council / et au Conseil
November 8, 2017 / 8 novembre 2017**

**Submitted on October 12, 2017
Soumis le 12 octobre 2017**

**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: KITCHISSIPPI (15)

File Number: ACS2017-PIE-PS-0121

SUBJECT: Zoning By-law Amendment – 991 Carling Avenue

OBJET: Modification au Règlement de zonage – 991, avenue Carling

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 991 Carling Avenue to permit a temporary three-year parking lot, 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 8 November 2017," subject to submissions received between the publication of this report and the time of Council's decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 pour la propriété située au 991, avenue Carling, en vue de permettre un terrain de stationnement pour une durée temporaire de trois ans, comme l'explique en détail le document 2.
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et de l'avocat général et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes du projet de loi 73 », à la réunion du Conseil municipal prévue le 8 novembre 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

991 Carling Avenue

Owner

Aga Khan Foundation Canada

Applicant

Lloyd Phillips & Associates Ltd.

Description of site and surroundings

The property is situated on the north side of Carling Avenue, between Fairmont Avenue and Irving Place, approximately 290 metres east of the Ottawa Hospital, Civic Campus.

The site has a total land area of approximately 485 square metres, with frontage on Carling Avenue, Irving Place and Fairmont Avenue. The existing building on site is a one-storey Community Centre and Place of Worship. There are currently 77 surface parking spaces on the property. Half of these parking spaces are located at the north end of the site and are accessible from Irving Place and the other half of the spaces are located west of the existing building, accessible from Fairmont and Carling Avenues. The site is bounded by a residential neighbourhood to the north and a mix of commercial and residential uses to the east and west along Carling Avenue.

Summary of requested Zoning By-law amendment proposal

The current zoning at 991 Carling Avenue is Residential First Density (R1QQ) and Residential Fourth Density (R4M), which means that the Community Centre/Place of Worship (institutional uses) are legal non-conforming uses. The building was constructed in 1965 and the associated parking lot was established at some point between 1976 and 1991. The residential zoning also does not permit the existing parking lot to be used by members of the public, who are not using the Community Centre/Place of Worship on site. This application has been submitted to accommodate a technical change in use to permit the existing parking lot that is associated with the Community Centre/Place of Worship to be used for a maximum of three-years by private vehicles belonging to staff of the Ottawa Hospital, Civic Campus.

Brief history of proposal

The parking lot associated with the Civic Campus, further west along Carling Avenue, is extremely busy and it is now facing additional parking pressures with the construction of the addition to the Heart Institute. Hospital staff have been required to park their vehicles on the local, residential streets, due to lack of space at the Hospital. This has lead to traffic concerns from the residents and constant car-shuffling by the Hospital staff, as they respect the maximum length of time for on-street parking. Hospital Administration has entered into an agreement with the owners of the Community Centre/Place of Worship to allow Hospital staff to park in the existing parking lot to help alleviate concerns from the local residents and provide relief to the Hospital staff.

The Hospital staff will be permitted to use 74 out of the 77 parking spaces for the hours between 6 a.m. – 5 p.m., Monday through Friday. This usage will not interfere with the

requirements of the Community Centre/Place of Worship for event parking in the evenings and weekends. The Aga Khan Foundation has identified that they typically do not require vehicular parking during the day, however, City staff believe that three parking spaces should be maintained for the Aga Khan Foundation for potential administrative uses during the daytime hours.

DISCUSSION

Public consultation

In accordance with the City's Public Notification and Consultation Policy, three signs were erected on the site and residents within 120 metres were notified of the proposal by mail. Local registered community groups were also notified.

Comments were received from 14 members of the public. Five of the comments indicated no concerns with the zoning request to permit parking for hospital staff. The remaining nine comments identified various concerns which are summarized in Document 3.

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

Provincial Policy Statement

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

Official Plan designations

While the property is zoned residential, it is designated in Schedule B of the Official Plan, as an Arterial Mainstreet.

An Arterial Mainstreet is intended to develop into a mixed-use corridor with a wide range of goods and services, higher density employment and appropriately located residential uses. Parking lots that directly front onto the street will eventually be redeveloped.

A permanent parking lot use by vehicles not associated with a use located on the property is not supported by the long-term policies of the Official Plan, however, Official Plan Policies do allow for the temporary use of lands, buildings or structures through a Zoning By-law amendment for a period not to exceed three years. This provides for temporary uses to be allowed where such uses will not reduce the ability to achieve the long-term objectives expressed in the Official Plan, such as those mentioned above.

Planning rationale

Staff acknowledge that a parking lot for a use not associated with the property is not the desired end-state condition for this location. The future intent for this site is to develop with uses permitted under the current zoning or in line with Official Plan policies. However, as a temporary use, the department can support the use of the existing lot by the hospital employees, which will remove cars from the surrounding side streets.

Site Design

Although the proposed temporary use is not subject to Site Plan Control, there are two physical changes proposed for the parking lot to alleviate some of the concerns raised by the Ward Councillor and local residents. The entrance and exit from Irving Avenue currently directs traffic south towards Carling Avenue via signage. The owner has agreed to install an additional sign in the parking lot indicating that there are no north-bound movements permitted. The entrance/exit onto Fairmont Avenue will be blocked during the temporary rezoning, which will then direct traffic to enter/exit via the lower portion of the parking lot from Carling Avenue. These changes will help to ensure that there is no additional traffic on the adjacent residential streets. Also, extra spaces will not be constructed for this proposal as the request is to simply use the existing facility.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Leiper provided the following comments:

“The proposal to allow a temporary parking use at this site, normalizing the existing situation, has been the subject of considerable discussion between myself, the Civic Hospital Neighbourhood Association (CHNA), representatives of His Highness the Aga Khan and Ottawa Hospital. The lot is rented by the Aga Khan Foundation to the Ottawa Hospital to provide much-needed parking for its employees.

When this application was first made, concerns were raised about the potential to exacerbate challenging street safety related issues in the Civic Hospital neighbourhood. Since then, several mitigations proposed by the CHNA have been implemented to direct traffic in the most optimal way. I did an early traffic count that indicates the peak

departure times generate very few trips into the community, and these should be reduced by those mitigations.

I am supportive of the application, and appreciate the Foundation's cooperation with my office and the CHNA to get us to this position where we can move forward. This has been a long process, and I'm grateful for the patience demonstrated by all the stakeholders.

The CHNA remains concerned, and is asking that a process be implemented to ensure periodic feedback of traffic patterns related to the use of this lot. I agree with this thrust, and will commit to working with the City to do periodic counts, bolstered by my own monitoring from time-to-time."

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility impacts for this project.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

C1 – Contribute to the improvement of the quality of life for Ottawa residents.

TM4 – Improve safety for all road users.

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 the discussions requested by the Councillor and residents regarding traffic in the area.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

CONCLUSION

The department can support this proposal to allow Ottawa Hospital, Civic Campus staff to park their private vehicles in an existing parking lot. The temporary use of the existing parking lot will contain the vehicles so that they do not take up on-street parking throughout the neighbourhood for extended periods of time. Extensive on-street parking could pose a safety issue for local residents as they would be required to navigate around parked cars for up to three years, until the parking lots at the Hospital are less burdened by the Heart Institute construction that is scheduled to be completed in Spring 2020. Several accommodations to the existing parking lot will also be made to prevent cut-through traffic on local streets.

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.

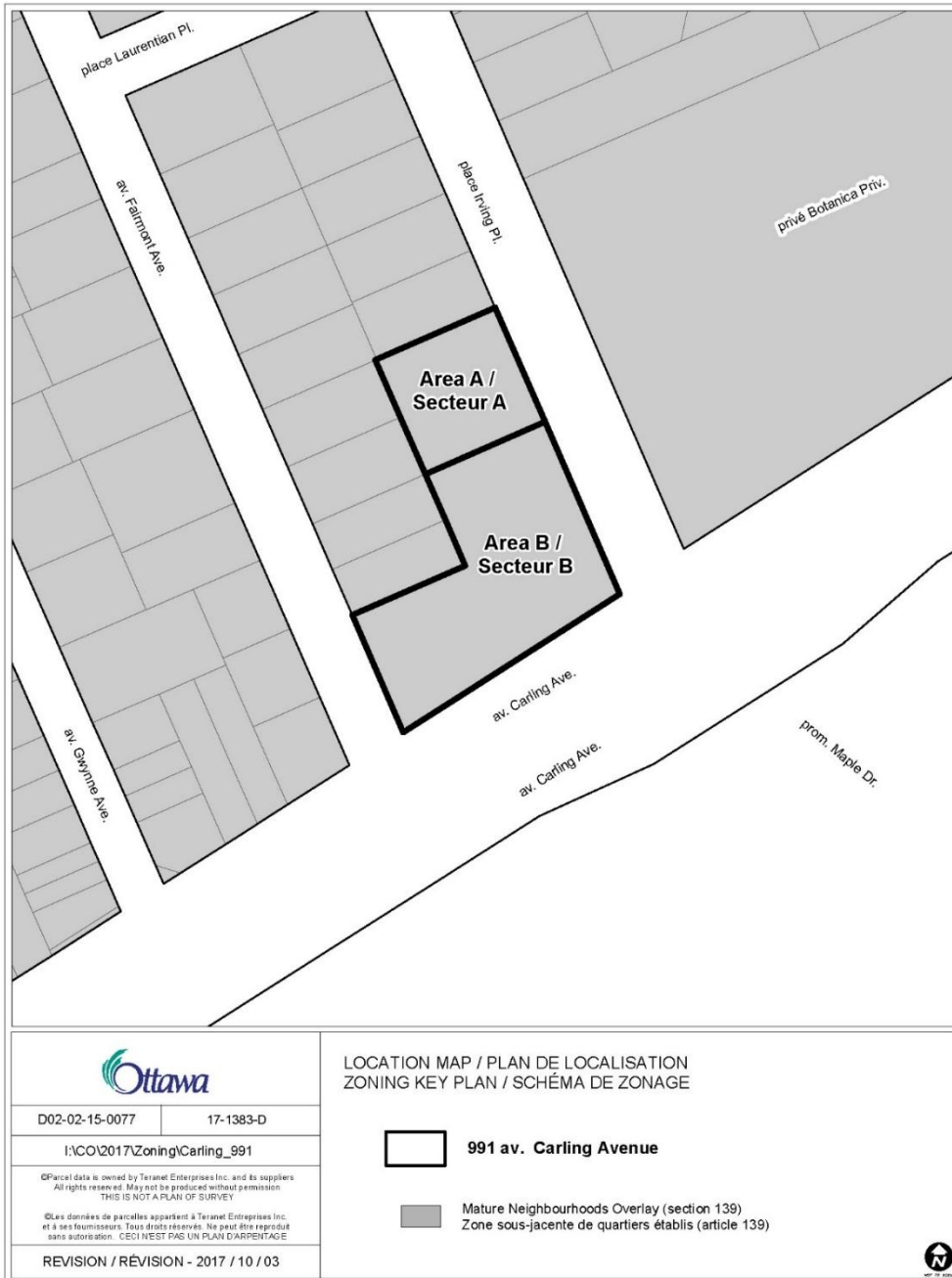
Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

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

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa.

The image shows the location of 991 Carling Avenue on the north side of Carling Avenue between Fairmont Avenue and Irving Place.



Document 2 – Details of Recommended Zoning

The proposed changes to the City of Ottawa Zoning By-law 2008-250 for 991 Carling Avenue are as follows:

1. Rezone the lands shown on Document 1 to this by-law as follows:

Area A from R1QQ to R1QQ [XXXX]

Area B from R4M to R4M [XXXX]; and

2. Create a new exception [xxxx] with provisions similar in intent to the following:

- a. In Column II add the text, “multiple”

- b. In Column III add the text, “temporary parking lot”

- c. In column V add the following:

- i. A parking lot is permitted for a temporary period of three years beginning on the date of passing of this bylaw.

- ii. The following applies to a temporary parking lot:

1. Despite Section 100(1)(a) and 100(1)(c) non-accessory parking in temporary parking lot is limited to that associated with the Ottawa Hospital Civic Campus.

2. Despite any provisions to the contrary, all but three required parking spaces for uses on 991 Carling may also be used for the temporary parking lot.

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. There were no public meetings held in the community.

The following comments are summarized by category below, along with a response from staff.

Comment: Long-Term Traffic Pressures

- As Ottawa continues to intensify, we need to start to address the increased traffic that is occurring on residential streets.
- Continued approvals for re-zoning applications such as this one that drive additional traffic onto local streets are of great concerns.

Response:

This proposal is expected to help alleviate the current on-street parking situation.

Comment: Use of Residential Streets (Fairmont Avenue and Irving Place) as cut through routes

- Fairmont is one of the few direct routes between Carling Avenue and Wellington Street and is increasingly being used as a cut through by people trying to reach the Queensway on-ramps at Parkdale Avenue via Sherwood Drive as well as seeking direct routes to Wellington Street and bridges to Québec.
- Observations have shown that The Ottawa Hospital staff use Fairmont Avenue to travel to and from the site, in addition to parking lot access and exiting.
- Enforcement is a major concern on Fairmont Avenue including that at the five-way intersection where Ottawa Police Services acknowledge roll through traffic but do not issue tickets.

Response:

The parking lot has been modified to prevent additional traffic from accessing the residential streets, such as Fairmont Avenue.

Comment: Access/Parking Layout

- This site relies on vehicular access and exit to the lot via the two residential streets to the east and west of the property, Fairmont Avenue and Irving Place, placing all the traffic onto them.
- Contrary to the information provided in the planning rationale, the entire parking lot is accessible from Fairmont Avenue as there is a short, currently one-way vehicle access way between the two sections of the parking lot.
- Conflicting perspectives were provided regarding a vehicular access on Carling Avenue:
 - Proposed entrance/exit from Carling may pose a hazard to pedestrians on Carling Avenue. The Carling Avenue entrance has been barricaded for much of the parking lot's existence.
 - Traffic generating developments should have direct vehicular access to arterial or major collectors.
- The City should require the removal of two parking spaces to allow cars to circulate to all parts of the lot without leaving. As shown on the proposed site plan, a portion of the Irving Place lot is accessible only from the north entrance on Irving Place. This layout requires cars to exit and re-enter the lot to move between the portions, increasing street traffic, emissions and risk to pedestrians on Irving. If the Carling Avenue exit is closed, at least one and possibly both spaces could be moved there.
- The submission erroneously indicates two routes to access/exit the property on Fairmont Avenue. The southernmost of these would require access and exit across a full height sidewalk and curb. Do not permit a second access off of Fairmont Avenue.

Response:

As mentioned, the current access from Fairmont Avenue will be blocked to traffic. The current access onto Carling Avenue will be maintained/opened for use as a right-in/right-out access. The lot has functioned in its current configuration since the mid 1980's and City staff do not recommend the elimination of two parking spaces in order to allow the proposed temporary use.

Comment: Snow Removal

- With 24x7 parking requirements, during the winter months, residents on Fairmont can expect to hear snow clearing equipment after every snowfall, often before dawn, in order to keep the lot operational for staff.
- Fairmont already contributes one side of the road to local parking, including for hospital visitors, this renders the road barely passable after a major snow accumulation.
- Experience has shown that during a major snowstorm while the parking lot is in use, has resulted in congestion and delays in both the parking lot, and on Fairmont.
- Allow snow removal only during the workday and when noise by-laws allow.
- All snow should be removed by the site, or temporarily stored where it does not obstruct vision or traffic.
- A request to establish a parking ban on Fairmont during the winter.

Response:

The parking lot will not be available to the hospital staff outside of their requested hours of 6 a.m. – 5 p.m. Snow will be removed from the site.

Comment: Current Use of Site

- The current use of the lot is non-compliant and illegal. We view the 'formalizing' of this illegal arrangement as unacceptable. Formalizing the current illegal arrangement ahead of proposing concrete measures for effectively dealing with increased traffic loads is inappropriate.
- Contrary to the statement in the planning rationale, the use of the site is no longer for the Jamatkhana, these uses have moved to another location. There is no regular use of the building by the related faith community, and no significant use of the parking lot by persons using the building.
- The change of usage of the parking lot from its historical usage to the current requested usage has negative impacts on the neighboring residents and these must be acknowledged.

- Since the Aga Khan has moved to other facilities, the maintenance and general upkeep of the site has suffered. The grounds are no longer kept to a reasonable standard which reflects poorly on the community.

Response:

City staff have been advised by the Applicant that the site continues to be used by the Community for religious services and community centre purposes during the evening hours and weekend. The site is to be maintained with respect to the City of Ottawa Property Standards By-law.

Comment: Taxi Stands

- Concerns rose about this site being used for taxi stands. Taxis idling, all day long and the exhaust wafting into backyards is very unpleasant.
- The taxi stands seem to have ceased in fall of 2014, but residents would like the reassurance that the zoning amendment will not re-permit this use.

Response:

This temporary rezoning would not permit the site to be used as a taxi stand.

Comment: Pedestrian Safety Concerns

- Increased vehicular traffic will have increased risk to pedestrians and waiting OC Transpo users from turning vehicles.
- The City should consider whether the increased pedestrian traffic from the lot to the hospital requires upgrading the Carling Avenue sidewalk from Fairmont Avenue to Melrose Avenue, which is currently a poor pedestrian experience, and whether the owner should pay for a portion of the upgrade.

Response:

It is expected that drivers accessing the parking lot will be mindful of pedestrians, cyclists and fellow vehicular drivers. Although the sidewalk has been patched in many places over time, it does not appear to be hazardous to pedestrians.

Comment: Proposed Zoning Details

- Usage of the lot as staff overflow parking implies, among other things:
 - Low vehicle turnover, as users will typically be at work for a full shift;

- Use by personal vehicles only;
- Little or no idling of vehicles;
- Limited use overnight and weekends, when staff parking demands at the hospital are reduced.
- If the usage becomes high-turnover, or the idling taxis return, or the lot is served or used by buses (such as the hospital shuttle) or used as a holding area for service trucks or other vehicles serving the hospital, then all risks to residents and pedestrians presented are amplified greatly.
- Some residents raised no concern as long as the parking use is exclusively for the hospital employees. Concerns raised only if the lot suddenly permits commercial usage by the general public, increasing the number of strangers visiting the neighbourhood.
- Could the owner and/or the hospital work with the local community to increase patrols and enhance security of the lot?

Response:

This rezoning will be directly tied to the parking lot being used exclusively for the Ottawa Hospital staff and not for the general public. This rezoning is also tied to a three-year time frame, at which time, if the applicant wishes to continue the temporary use, they would be required to re-apply and the City would re-evaluate the proposal.

Comment: Landscaping

- Landscaping improvements should be considered before legalizing the usage of this lot as a commercial parking lot.

Response:

No additional landscaping is intended to be provided by the owner.