

<p>3. ZONING BY-LAW AMENDMENT – 1260 LOEPER STREET</p> <p>MODIFICATION AU RÈGLEMENT DE ZONAGE – 1260, RUE LOEPER</p>
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COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for 1260 Loeper Street to permit a 5-metre high, 165 square metre, accessory building on a Village Residential lot, as detailed in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification au *Règlement de zonage* (n° 2008-250) pour le 1260, rue Loeper, afin de permettre l'aménagement d'un bâtiment accessoire d'une hauteur de 5 mètres et d'une superficie de 165 mètres carrés sur un lot de zone résidentielle de village, comme le décrit le document 2.

DOCUMENTATION / DOCUMENTATION

Director, Planning Services, Planning, Infrastructure and Economic Development Department report dated 20 June 2017 (ACS2017-PIE-PS-0083).

Rapport du Directrice, Services de la planification, Direction de la planification, de l'infrastructure et du développement économique daté le 20 juin 2017 (ACS2017-PIE-PS-0083)

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 26
12 JULY 2017**

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**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 26
LE 12 JUILLET 2017**

**Report to
Rapport au:**

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

July 6, 2017 / 6 juillet 2017

**and Council / et au Conseil
July 12, 2017 / 12 juillet 2017**

**Submitted on June 20, 2017
Soumis le 20 juin 2017**

Submitted by

Soumis par:

Lee Ann Snedden,

Director / Directrice,

Planning Services / Service 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: CUMBERLAND (19)

File Number: ACS2017-PIE-PS-0083.

SUBJECT: Zoning By-law Amendment – 1260 Loeper Street

OBJET: Modification au Règlement de zonage – 1260, rue Loeper

REPORT RECOMMENDATIONS

1. That Agriculture and Rural Affairs Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1260 Loeper Street to permit a 5-metre high, 165 square metre, accessory building on a Village Residential lot, as detailed in Document 2.
2. That 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 12 July 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'agriculture et des affaires rurales recommande au Conseil d'approuver une modification au *Règlement de zonage* (n° 2008-250) pour le 1260, rue Loeper, afin de permettre l'aménagement d'un bâtiment accessoire d'une hauteur de 5 mètres et d'une superficie de 165 mètres carrés sur un lot de zone résidentielle de village, comme le décrit le document 2.
2. Que 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 12 juillet 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

1260 Loeper Street

Owner and Applicant

Nicholas Carrey

Description of site and surroundings

The site is a residential lot located in the Village of Navan. It is approximately 2800 square metres in size with frontage on two streets, Loeper Street and Henn Drive. The site is serviced by private well and septic and contains a detached dwelling and above ground pool. It is surrounded by other low-rise detached dwellings. It is zoned Village Residential, First Density, Subzone E (V1E).

Summary of requested Zoning By-law amendment proposal

The owner is proposing to construct a detached accessory garage in the rear yard of the property, for the purpose of storing personal recreational vehicles. It will be a single storey building with a height of 5.0 metres and gross floor area of 165 square metres as detailed in Document 2. This building will be accessed via a driveway to be constructed from Henn Drive, for which the owner will require a private approach permit from the City of Ottawa.

DISCUSSION

Public consultation

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. Comments were received.

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

Official Plan designation

The site is designated as the Village of Navan in Volume 2C of the Official Plan, and as Village Residential in the Consolidated Villages Secondary Plan. This designation is defined predominantly by detached housing.

Planning rationale

Section 55 of the Zoning By-law regulates development of accessory buildings. The current provisions of this section limits the height of accessory buildings in the V1E zone to 4.5 metres and the size to a maximum coverage of 50 per cent of the yard, not to exceed 55 square metres. This application proposes to amend the Zoning By-law in order to increase the height and size for a detached garage. Staff believe the requested amendments are reasonable given that the proposed design of the building is compatible with the surroundings. Adequate separation between properties and the street is proposed. The proposed design compliments existing building architecture. The proposal also ensures that sufficient amenity area for the residential use would continue to be provided. In addition to the request for an increase in the permitted height and size, staff are recommending further amendments which include increasing the permitted setbacks and limiting the number of accessory buildings permitted on the lot to one, so as to provide adequate separation between the lot and adjacent properties.

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 Stephen Blais is aware of the application.

LEGAL IMPLICATIONS

Should the recommendation be adopted and the matter appealed to the Ontario Municipal Board, it is anticipated that a one-day hearing will result. The matter could be conducted within staff resources. Should the application be refused, reasons must be provided. In the event a refusal is appealed to the Board, an external planner would have to be obtained.

RISK MANAGEMENT IMPLICATIONS

There are no risks associated with this report.

FINANCIAL IMPLICATIONS

Potential financial implications are within the above Legal Implications. In the event that an external planner is retained, the expense would be absorbed from within Planning, Infrastructure and Economic Development's operating budget.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

TERM OF COUNCIL PRIORITY

This project addresses the following Term of Council priority:

C1 – Contribute to the improvement of my quality of life

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 Public Consultation Details

Document 4 Proposed Accessory Building

CONCLUSION

Planning, Infrastructure, and Economic Development department supports this proposal because it is consistent with the Provincial Policy Statement, and Official Plan, offering development that is compatible with the surrounding context, and is a representation of 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.

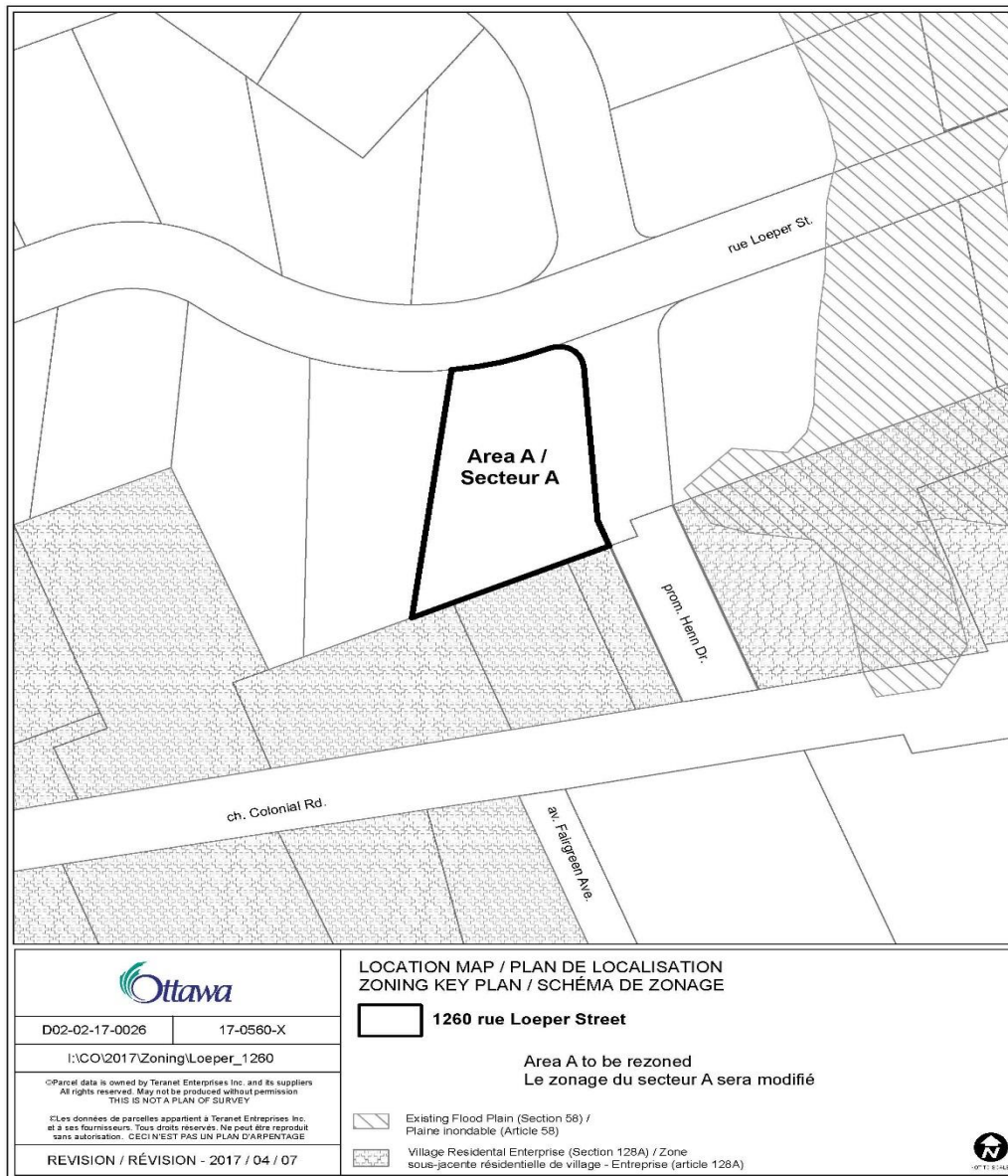
Zoning and Interpretations Unit, Economic Development and Long Range Planning to prepare the implementing by-law and forward to Legal Services.

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



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1260 Loeper Street:

1. Rezone the lands shown in Document 1 from V1E to V1E[XXXr]
2. Create a new exception V1E[XXXr] with provisions similar in effect to the following:
3. The following provisions apply to an accessory building:
 - Maximum height: 5.0 metres;
 - Minimum setback from an interior side lot line: 1.5 metres;
 - Minimum setback from a rear lot line: 5.0 metres;
 - Maximum size of an accessory building is 165 square metres as measured from the exterior walls of the building;
 - Eaves, eave-troughs, and gutters are permitted to project from an accessory building for a distance of 0.5 metres, but not closer than 1 metre to any lot; and
 - Maximum number of accessory buildings permitted on the lot is one.

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. No public meetings were held in the community.

The following are comments received from the public during the circulation period and staff responses to them.

Comment:

The proposed building will not be used for personal vehicles but for a commercial operation instead.

Response:

The property is zoned for low density residential uses which does not include commercial activities, nor does the zoning permit for home based business within accessory buildings. Should this building or property be used for uses that are not permitted under the by-law, this will be addressed by By-law enforcement.

Comment:

This proposal will set a precedent. Should the application be approved, it will allow for large buildings on all lots.

Response:

Each proposal is evaluated on its own merits. The proposed building would not be the reason another large accessory building would be given the same approval if sought in the future.

Comment:

Building will change the characteristics of the neighbourhood.

Response:

The proposed building will front Henn Drive and will be setback from the road at approximately 30 metres. The design of the building, its location, and orientation towards the road will not impact the streetscape. Staff have not recommended to increase the permitted corner side yard setback, however, should the building be constructed at a setback consistent with homes fronting Henn Drive, given the design, would also be compatible with the existing streetscape.

Comment:

Building will cause excessive light, noise, and noxious odours.

Response:

The proposed building, being accessory to the existing dwelling use and not for a commercial operation, will produce no more light, noise, or odour, from that of a typical dwelling or its attached garage. Should any activity on the lot cause an unreasonable nuisance in contravention of the City's noise, property standard, or any other related by-laws, it will be addressed by By-law enforcement.

Comment:

The proposed access to Henn Drive will impact traffic.

Response:

The access being to serve a subordinate use to the residence is not expected to have traffic implications. Should this driveway/garage be used as the principle garage, one-two vehicles each peak hour will not cause a traffic delay.

Comment:

Proposed driveway to Henn Drive will impact roadside ditch

Response:

A private approach permit is required for the construction of the access, at which time, the design of the driveway will be reviewed. This would include a review of the ditch to ensure that the driveway is designed to maintain the flow of stormwater run-off.

Comment:

The building will increase demand on the septic system and there is no assurance that the septic system is sized accordingly.

Response:

At the time of building permit, plumbing fixtures are reviewed which includes the requirement of a permit from the Ottawa Septic System Office. At that time, it will be ensured that the system is appropriately sized and that drains are also designed accordingly.

Comment:

The proposed height and size are similar to that of existing homes.

Response:

The additional height of 0.5 metres above the current maximum of 4.5 metres has been requested by the owner in the interest of achieving a design that corresponds with the existing home to ensure compatibility with the surrounding area. The proposal with the look and feel of a dwelling blends into the neighbourhood. The proposed building is a single storey, which will not exceed the height of the surrounding homes.

Comment:

What impact will the proposed building have on drainage?

Response:

Grading and drainage are reviewed at the time of building permit to ensure there is no adverse impact to adjacent properties. The site must be graded to direct water away from the property lines.

Document 4 – Proposed Accessory Building

This is the proposed front elevation of the accessory building.

