

4. Zoning By-law Amendment – 166 Huron Avenue

Modification du Règlement de zonage – 166, avenue Huron

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 166 Huron Avenue North in order to add a Library use and accessory uses at the subject property, as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification du Règlement de zonage 2008-250 visant le 166, avenue Huron, afin de permettre l'ajout d'une utilisation de bibliothèque et d'utilisations accessoires sur la propriété visée, comme l'expose en détail le document 2.

Documentation/Documentation

1. Report from the Director, Planning Services, Planning, Infrastructure and Economic Development Department, dated May 12, 2021 (ACS2021-PIE-PS-0067)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 12 mai 2021 (ACS2021-PIE-PS-0067)

2. Extract of draft Minutes, Planning Committee, May 27, 2021

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 27 mai 2021

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
27 May 2021 / 27 mai 2021**

**and Council
et au Conseil
9 June 2021 / 9 juin 2021**

**Submitted on 12 May 2021
Soumis le 12 mai 2021**

**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: ACS2021-PIE-PS-0067

SUBJECT: Zoning By-law Amendment – 166 Huron Avenue

OBJET: Modification du Règlement de zonage – 166, avenue Huron

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 166 Huron Avenue North in order to add a Library use and accessory uses at the subject 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 Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* 'Explanation Requirements' at the City Council Meeting of June 9, 2021," 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 du Règlement de zonage 2008-250 visant le 166, avenue Huron, afin de permettre l'ajout d'une utilisation de bibliothèque et d'utilisations accessoires sur la propriété visée, comme l'expose 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 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 de la *Loi sur l'aménagement du territoire*, à la réunion du Conseil municipal prévue le 9 juin 2021 », 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

166 Huron Avenue North

Owner

Jewish Youth Library of Ottawa – Devora Caytak (under agreement of purchase)

Applicant

Fotenn – Kersten Nitsche

Description of site and surroundings

The property is located within the Wellington Village neighbourhood, on the west side of Huron Avenue North, south of the Wellington Street West intersection. The lot has 17.92 metres of frontage along Huron Avenue North and a lot area of 568.72 square metres. Situated within an established low-rise neighbourhood, the site is located approximately 50 metres south of Wellington Street West, a Traditional Mainstreet. The property is currently occupied by a three-storey detached dwelling and a single storey double-car garage at the rear, which is accessed via a paved driveway along the northern portion of the property. The subject property is designated under Part IV of the *Ontario Heritage Act*; however, no alteration or modification to the building are being proposed.

Summary of requested Zoning By-law amendment proposal

The application seeks to add a site specific zoning exception which would add a library use as a permitted use, as well as accessory uses typically supportive of a library (e.g. programming opportunities for groups, classes, etc.) while maintaining the current R3I (Residential Third Density, Subzone I) zoning category.

In order to accommodate the parking requirements of the library use, the three required parking spaces will be provided in tandem in the existing driveway along the northern portion of the site. No alterations or modifications are proposed to the property.

Brief history of proposal

The subject property is designated as a cultural heritage resource under Part IV of the *Ontario Heritage Act*. The property was designated in 1985 (By-law 282-85) with interior features designated in 1992 (By-law 330-92).

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public

Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

Comments were received from 41 residents. 23 were in support of the proposal and 13 were in opposition. The comments received in opposition questioned the appropriateness of the new use at this location, the impacts of the proposal on parking and traffic as well as the impacts on the heritage values.

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

Official Plan designations

The subject site is designated as General Urban Area on Schedule B of the Official Plan. The General Urban Area permits a full range and choice of housing types in combination with conveniently located employment, retail, service, cultural, entertainment and institutional uses. A broad range and scale of uses are supported within the General Urban Area.

Heritage

The property at 166 Huron Avenue North (Connors House) is designated under Part IV of the *Ontario Heritage Act*. This designation not only includes the exterior of the house but also the following interior elements:

- The paneled vestibule and entrance hall that feature doors enlivened by panes of opaque coloured glass in a geometric pattern
- The central staircase, which is distinguished by a tall newel post with geometric Prairie-style details
- The living room, including the mantle, plate rail, window frames and pocket doors, which also feature geometric glazing with panes of opaque stained glass
- The dining room including the wooden ceiling beams and plate rail
- The main floor den including its doors and mantle.

Any alteration to the exterior of the house or of any of the elements listed above will trigger the need for a heritage permit. This property also contains an Ontario Heritage Trust Easement and may require permission from the Ontario Heritage Trust for any alterations.

Urban Design Review Panel

This application was not subject to the Urban Design Review Panel process.

Planning rationale

Provincial Policy Statement

The *Planning Act* requires that all City planning decisions be consistent with the Provincial Policy Statement (PPS) of 2020, 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 is in keeping with the PPS of 2020 by promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs. Furthermore, the proposal encourages a sense of place by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources.

Official Plan

The subject site is designated as General Urban Area on Schedule B of the Official Plan. The General Urban Area permits a full range and choice of housing types in combination with conveniently located employment, retail, service, cultural, entertainment and institutional uses. A broad range and scale of uses are supported within the General Urban Area.

Section 3.6.1.8 states that, throughout the General Urban Area, the City will encourage the provision of a variety of small, locally-oriented convenience and service uses that complement adjacent residential land uses and are of a size and scale consistent with the needs of nearby residential areas. The policy aims to contain these uses by ensuring they are compatible with surrounding uses, are conveniently located with respect to concentrations of residential development, are situated to take advantage of pedestrian and cycling patterns, and are of a size and scale that will not result in the attraction of large volumes of vehicular traffic from outside the immediate area.

The subject property is a designated Part IV heritage property under the *Ontario Heritage Act* and is subject to the policies in Section 4.6.1 related to Heritage Buildings.

Policies contained within this section favour the retention of cultural heritage resources, and discourage their alteration, relocation, and demolition.

The proposed amendment conforms to policies related to heritage as the amendment does not propose alterations or modifications to the building and conserves a cultural heritage resource. Considering the small scale of the use and the preservation of the heritage and residential characteristics of the architecture, staff are of the opinion that the use is compatible with existing nearby built forms, densities, and range of uses.

Zoning By-law

The site is currently zoned as Residential Third Density (R3I). The purpose of the Residential Third Density zone is to allow a mix of residential building forms and uses in the General Urban Area. This zoning regulates development in a manner that is compatible with existing land use patterns to maintain or enhance the residential character of a neighbourhood. The proposed library use will maintain the R3 zoning on site, which would permit a library use and accessory uses as an exception to the parent zone. Ancillary uses are permitted in the R3 zone, including home-based daycares and home-based businesses, whose impacts can be considered comparable to those of the proposed library use.

The property is also subject to Section 60 – Heritage Overlay in the Zoning By-law. The purpose of this section is to encourage the retention of existing heritage buildings by offering zoning incentives to reuse the buildings, and to limit the size and location of additions to preserve the heritage character of the original building. Seeing as no alterations to the building are proposed, relief from Section 60 is not required.

It is anticipated that the maximum number of people on site would be no more than 12 people at any given time, with an additional two staff members employed at this location, for a total of 14 people. This number is inclusive of staff members, attendees of programming occurring at the time, and members of the community attending to use the library services. The Jewish Youth Library intends to hold approximately three or four programmed events per day, with five to six members in attendance for each event. The programmed events will not be held concurrently, but rather throughout the day as to mitigate the number of people in attendance at the building. In order to permit these uses, which are subordinate to the main library use, the site specific zoning exception would also permit an instructional facility as an ancillary use to the library.

Parking is intended to be provided at the rate required by the Zoning By-law, which is 1.25 spaces per 100 square metres of gross floor area. The 271.53 square metre

structure therefore would require three parking spaces for a library use. While the three parking spaces are intended on being provided in the existing driveway, outside of the front yard, additional relief from the Zoning By-law is required in order to allow these parking spaces to occur in tandem.

The proposed library use will not be a large facility and is intended to be community serving and oriented. Users will be able to easily arrange to move their vehicles if required to accommodate the required parking in the existing driveway. Further, considering the preliminary programming schedule, it is anticipated that the scale of programming offered will not attract a high volume of vehicle traffic. Attendees are likely to arrive and depart at the same time and will not cause continuous disruption. Additionally, parking for staff members can be accommodated to the rear of the building and within the existing double car garage on the property. Staff are of the opinion that the proposed parking arrangement is appropriate considering the site's close proximity to multi-modal transit options, including an extensive pedestrian, cycling, and public transit network.

The proposed new use can be appropriately accommodated in the building with no impact to the maintenance of heritage elements of the property. The inclusion of furniture or items within the property to support the library use (i.e. bookcases, tables, seating, books, computers, reference materials, etc.) are also items which are commonly found in residential dwellings. Any significant structural issues related to these elements would be reviewed by Building Code Services at the Change of Use permit stage.

It is not uncommon to see small scale community uses, such as places of worship and daycares, to be nestled within low-rise residential neighbourhoods. It is intended that the library use at 166 Huron Avenue North would be such a use, to be used by all members of the community. Given its location near a Traditional Mainstreet, and where it may be easily accessed via alternative modes of transportation, including walking, cycling, and public transit, staff are of the opinion that the proposed Zoning By-law amendment for the introduction of a small community-oriented use is appropriate for the site.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Leiper provided the following comments:

"I am supportive of permitting the Jewish Youth Library to use the 166 Huron property as a small community library. Prior to this application I had the opportunity to hold a small meeting for nearby residents and hear their concerns.

Much of the concern I heard was with respect to an increase in traffic, but the Library has shared a conceptual programming grid that indicates the building is unlikely to have many more visitors than any home on the street might be expected to occasionally generate.

Residents' other concern, also very legitimate, was to mitigate the potential that Huron might see an influx of non-residential uses or that the non-residential use for this property might expand beyond the library use.

As I write I am satisfied that the zoning will be clear that the only non-residential use will be for the library.

During my consultations with residents, it was asserted that non-residential uses should be directed to the commercial main street. In Kitchissippi, main street retail space is becoming increasingly unaffordable, and it is difficult to imagine that non-commercial community uses such as this one will be feasible in future on Wellington or Richmond. I am pleased to support a re-zoning that helps preserve a small-scale community use in our walkable neighbourhood in the proximity of excellent transit."

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the report recommendation.

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report. Any Ontario Building Code requirements for accessibility will be imposed at the building permit stage.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Thriving Communities

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-21-0004) 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 Proposed Zoning By-law Amendment

Document 3 Consultation Details

CONCLUSION

The Planning, Infrastructure and Economic Development Department supports the application and proposed Zoning By-law amendment. The proposal is consistent with the Official Plan policies in the General Urban Area designation. The proposed use introduced by this Zoning By-law amendment is small in scale, appropriate for the site and maintains policy objectives. The amendment represents good planning and, for the reasons stated above, staff recommends approval of the Zoning By-law amendment.

DISPOSITION

Office of the City Clerk, Council and Committee Services, to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; Krista O'Brien,

Program Manager, Tax Billing and Control, Finance Services department (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

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

Location map of the property located on the west side of Huron Avenue North, south of the Wellington Street West intersection.



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 166 Huron Avenue North:

1. Rezone the lands from R3I to R3I[xxxx], as shown in Document 1.
2. Add Exception [xxxx] in Section 239, Urban Exceptions, introducing provisions similar in effect to the following:
 - a. In Column II, Applicable Zoning, add the text “R3I[xxxx]”
 - b. In Column III, Additional Land Uses Permitted, add the text “Library”;
 - c. In Column V, Provisions, add the following text:
 - i. “the library use shall be limited to the footprint of the building as it exists on the date of the passing of the by-law”
 - ii. “an instructional facility is permitted as an ancillary use to the library, conditional on being in the same building as the library.”
 - iii. “Subsection 100(5) does not apply”

Document 3 – Consultation Details

Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

Public Comments and Responses

Comment 1: I am concerned with the idea of this proposal and placing additional and unnecessary stress on the residents of this street and community. This so called “library” which according to the description realistically will be a community centre has no place on a dead-end residential street. The increase of vehicular and foot traffic raises significant concerns regarding security and safety of the residents on this street and in the community. The city is putting the residents at risk of increased criminal activity, especially for those individuals who may already be vulnerable.

Response 1: The use being introduced is not that of a community centre. The intent is for the building to operate as a library first, while also offering some accessory programmed events, scattered during the day, with a maximum of 6 members in attendance for any given event. The programmed events will not be held concurrently, but rather throughout the day as to mitigate a high number of people in attendance at the building.

Comment 2: The increase in traffic to this site will have an impact on circulation within the neighbourhood and will have a negative impact on the availability of on-street parking for the residents.

Response 2: It is anticipated that the scale of programming offered will not attract a high volume of vehicle traffic. Attendees are likely to arrive and depart at the same time and will not cause continuous disruption. This will also encourage attendees to use the parking spaces available on the property. Additionally, parking for staff members can be accommodated to the rear of the building and within the existing double car garage on the property.

Comment 3: The building's heritage integrity needs to be assured by putting both an Ontario and Ottawa Heritage designation and easement on the property. It is very disappointing that the city is not trying to preserve this as a residential dwelling. The applicant states that it plans no changes to the exterior or interior as it is prohibited

under the protective Heritage Easements. The applicant also states that bookcases for 10,000 books will be added. How can this happen, along with the crowds of people accessing the building, without changing the interior or structure?

Response 3: The proposed new use can be appropriately accommodated in the building with no impact to the maintenance of heritage elements of the property. The inclusion of furniture or items within the property to support the library use (i.e. bookcases, tables, seating, books, computers, reference materials, etc.) are also items which are commonly found in residential dwellings. Any significant structural issues related to these elements would be reviewed by Building Code Services at the Change of Use permit stage.