

<p>6. Zoning By-law Amendment – 630 Cummunings Avenue</p> <p>Modification du Règlement de zonage – 630, avenue Cummings</p>

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 630 Cummings Avenue in order to accommodate the expansion of an existing 12-unit low-rise apartment dwelling to a 42-unit low-rise apartment dwelling, as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification du Règlement de zonage 2008-250 visant le 630, avenue Cummings, afin de permettre l'agrandissement d'un immeuble résidentiel de faible hauteur et ainsi faire passer de 12 à 42 le nombre de logements qui l'occupent, 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-0061)

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-0061)
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: RIDEAU-ROCKCLIFFE (13)

File Number: ACS2021-PIE-PS-0061

SUBJECT: Zoning By-law Amendment – 630 Cummings Avenue

OBJET: Modification du Règlement de zonage – 630, avenue Cummings

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 630 Cummings Avenue in order to accommodate the expansion of an existing 12-unit low-rise apartment**

dwelling to a 42-unit low-rise apartment dwelling, 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 630, avenue Cummings, afin de permettre l'agrandissement d'un immeuble résidentiel de faible hauteur et ainsi faire passer de 12 à 42 le nombre de logements qui l'occupent, 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

630 Cummings Avenue

Owner

2276663 Ontario Ltd.

Applicant

Bill Holzman, Holzman Consultants Inc.

Architect

Pye & Richards – Temprano & Young Architects Inc.

Description of site and surroundings

The subject property is located on the west side of Cummings Avenue, between the intersections of Montreal Road and Wilson Street. It is an irregular T-shaped lot with 6.10 metres of frontage on the east side of Borthwick Avenue and 55.3 metres of frontage along Cummings Avenue. The site currently includes a 12-unit apartment dwelling, low-rise, and is surrounded on all sides by a mix of low-rise residential buildings, ranging from townhomes and single-family dwellings to other low-rise apartment dwellings. Further north is Montreal Road, an Arterial Mainstreet designated artery.

Summary of requested Zoning By-law Amendment proposal

A Zoning By-law amendment application and a Site Plan Control application were submitted in order to facilitate the proposal to construct two additions on either side of the existing low-rise apartment dwelling. Thirty new dwelling units are proposed, for a total of 42 units. The Zoning By-law amendment is required in order to obtain the following relief, most of which are in recognition of an existing situation on an oddly-shaped lot:

- Reduced lot width
- Reduced front yard setback
- Reduced number of required parking spaces
- Reduced width of drive aisle
- Parking located in the front yard
- Reduced setback of a refuse collection area from a side lot line

- Relief from landscaping buffer requirement in a parking lot
- Relief from garbage container pathway width requirement
- Relief from requirement for front façade to be comprised of at least 25 per cent windows.
- Relief from requirement to have 25 per cent of units having at least two bedrooms

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 six residents, half of which were in support. The comments received in opposition highlighted the increase in density, unit types and parking as the main concerns.

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

Official Plan designation

According to Schedule B of the Official Plan, the property is designated General Urban Area, which promotes a wide range of housing types and uses, to meet the needs of all ages, incomes and life circumstances.

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 efficient development of existing land use patterns and sustaining healthy, liveable and safe communities.

Official Plan

The site in question is designated General Urban Area on Schedule B of the Official Plan. The General Urban Area designation permits many types and densities of housing, as well as employment, retail uses, service, industrial, cultural, leisure, greenspace, entertainment and institutional uses. The City supports intensification in the General Urban Area where it will complement the existing pattern and scale of development and planned function of the area.

Section 2.2 Managing Growth states that lands designated General Urban Area will continue to mature and evolve through intensification and infill but at a scale contingent on proximity to major roads and transit, and the area's planned function. The site is located in proximity to Montreal Road, which is designated as an Arterial Mainstreet under Schedule B of the Official Plan. In addition to consisting of a series of nodes of mixed-use activities, Montreal Road is identified as a Transit Priority Corridor on Schedule D of the Official Plan.

Section 2.5 Building Liveable Communities seeks to promote compatible intensification, as well as the development of affordable housing. The proposed redevelopment of the site implements both of these policies as it is creating more affordable units in proximity to local transit, while giving an older building an updated look.

Staff are of the opinion that the proposed addition to an existing low-rise apartment dwelling is in line with Official Plan policies.

Zoning By-law

The property is currently zoned R4UC (Residential Fourth Density, Subzone UC). The R4 zone allows a wide mix of residential building forms ranging from detached to low rise apartment dwellings. A series of relief from performance standards in the Zoning By-law are being requested, some of which are in recognition of an existing situation. The existing building was built over 55 years ago on an oddly-shaped lot. At the time of application, the new R4 provisions had not yet been brought forward by By-law 2020-290. The zoning category at the time was Residential Fourth Density (R4N).

The Zoning By-law defines the front lot line as that which abuts a street for the shortest distance. The lot width is measured at a point equal to the front yard setback

requirement for the zone. Given the T-shape of the lot, the front lot line is the one which abuts Borthwick Avenue. For this reason, although the property is over 55 metres in width at its widest, the lot width is measured at 6.1 metres. In addition, given the Zoning By-law's definition of the front lot line, the existing parking area is technically located within the front yard and therefore requires zoning relief.

Given the lot's status as a through lot, it does not have a rear yard setback, but rather has a front yard setback requirement which applies to both the front and the rear lot line. The building's additions are proposed on each side of the original building and will be no closer than other elements of the existing structure. At its closest, the new addition is proposed to be 2.9 metres from the Cummings Avenue property line. It is to be noted that a Right of Way protection is required as a result of this development and that the proposed addition would have otherwise complied with the Zoning By-law.

The building's parking situation is an existing one, which features a shared parking lot (with the abutting property at 635 Borthwick Avenue) located across two separate properties. As a result, the property line bisects the drive aisle, thus reducing its width. While the proponent is requesting a reduction in aisle width to 0.9 metre, the functional aisle width is in fact 9.4 metres.

Relief is being sought in order to exempt the site from the requirements of providing a landscaping buffer within parking lots (Section 110(1)). No changes are being proposed to the existing parking area, and the relief is an attempt to legalize an existing situation.

Relief is also being sought in order to exempt the site from the requirements of providing a 1.2-metre-wide pathway for the movement of garbage containers (Section 143(1)(a)). While the space required is available, it is located partly on the adjacent property with which the parking lot is shared.

The odd shape of the lot has made it difficult to locate the refuse containers on the property. While there is no change proposed to their current location, the refuse area is located at 1.5 metres from one of the side property lines. The new containers will now be properly screened from view, which is an improvement over the current situation.

Ten of the total 21 parking spaces in the parking lot are located on the subject property at 630 Cummings Avenue. Three of those parking spaces are reserved for visitors, as per the Zoning By-law requirements. No parking spaces are required for the first twelve units of a dwelling, and spaces are required at a rate of 0.5 space per unit after the first twelve. In this case, 15 parking spaces are required by the Zoning By-law, but a reduction to seven spaces is requested. Given its close proximity to the Montreal Road

Arterial Mainstreet and its designation as a Transit Priority Corridor in the Official Plan, and also considering that the required visitor parking spaces will be provided, staff are comfortable with the proposed reduction in parking spaces.

The recent R4 zone changes introduced by By-law 2020-290 included a requirement to have at least 25 per cent of the dwelling units as two-bedroom units (Section 161(20)(g)). The application for rezoning was submitted prior to the adoption of By-law 2020-290 and therefore does not comply with this section of the R4 zone. The proponent's intention is to provide affordable housing units in order to meet the demand for one-bedroom units in the area.

Similarly, the recent R4 zone changes introduced by By-law 2020-290 also included a requirement to have the front façade of a low-rise apartment dwelling be comprised of at least 25 per cent windows (Section 161(21)(b)). The application for rezoning was submitted prior to the adoption of By-law 2020-290 and therefore does not comply with this section of the R4 zone. While the additions and the overall recladding of the existing building represents an aesthetic improvement to the property, the building's design, which has been reviewed by Urban Design staff, echoes the original architecture and therefore offers fenestration over 17.5 per cent of the additions.

Given that most of the relief being sought is meant to recognize both an existing situation as well as the realities of a challenging site, all in an attempt to bring rejuvenation and intensification to an area, staff are of the opinion that the proposed Zoning By-law amendment is appropriate for this site.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor King is aware of this application.

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.

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: D02-02-20-0062) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to delays between the reception of submission and workload issues.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Proposed Zoning By-law Amendment

Document 3 Consultation Details

Document 4 Proposed Site Plan

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 Zoning By-law amendment is 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.ca).

A map showing the location of the property at 630 Cummings Avenue, which is of irregular shape and also fronting on Borthwick Avenue.



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 630 Cummings Avenue:

1. Rezone the lands from R4UC to R4UC[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 "R4UC[xxxx]"
 - b. In Column V, Provisions, add the following text:
 - i. "minimum lot width: 6.1 metres"
 - ii. "minimum front yard setback from the Cummings Avenue street lot line: 2.9 metres"
 - iii. "minimum number of vehicular parking spaces required: 7"
 - iv. "minimum width of a drive aisle providing access to parking spaces: 0.9 metre"
 - v. "vehicular parking spaces may be located in a front yard"
 - vi. "an outdoor refuse collection area may be located 1.5 metres from a side property line"
 - vii. "Section 110(1) does not apply"
 - viii. "Section 143(1)(a) does not apply"
 - ix. "Section 161(20)(g) does not apply"
 - x. "Section 161(21)(b) does not apply"

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.

Public Comments and Responses

Comment 1: The proposed increase in new residential units will reduce the amount of landscaped open space available.

Staff Response 1: While it is true that the building addition will reduce the amount of landscaped space, the proposal still maintains adequate amounts of private and public amenity spaces on the property.

Comment 2: There are not enough parking spaces available.

Staff Response 2: Given the site's close proximity to Montreal Road, an Arterial Mainstreet and Transit Priority Corridor which consists of multiple nodes of mixed-use activities, staff are confident that the proposed reduction in the parking space rate is adequate.

Comment 3: The addition to the building will have negative impacts on my privacy as my windows will now be looking out onto neighbouring balconies.

Staff Response 3: While the building's addition does introduce more line-of-sight overlap with the neighbouring buildings, the building is not proposed to be any closer to its neighbours to the west, and are almost 20 metres apart. This is more generous than a typical "rear yard to rear yard" scenario.

Comment 4: There should be a mix of tenancy in the development. Having a building with only bachelors is not conducive to providing a living space where families, elderly and singles can come together to create a sense of community.

Staff Response 4: The applicant's intention is to provide affordable housing units in order to meet the demand for one-bedroom units in the area.

Document 4 – Proposed Site Plan

