PLANNING RATIONALE REPORT FOR MINOR ZONING BY-LAW AMENDMENT APPLICATION

## 65 ACACIA AVENUE

 CITY OF OTTAWAPREPARED BY: P H ROBINSON CONSULTING
JANUARY 2020

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This report has been prepared on behalf of Simon Saab and Jeffrey Abboud owners of the property at 65 Acacia Avenue in support of a Minor Rezoning By-law Amendment for the subject property. The legal description of the property is Lots 10 and 11, Registered Plan 189537, City of Ottawa (P.I.N 04225-0274). (See Survey Plan in the Appendix section). The subject property is shown on the attached photo with the white $1 \frac{1}{2}$ storey building being on the property and then the lands to the left (south). The property on the right (north) is a 3 storey plus atrium rental building with frontage on Acacia and Rideau Terrace.


The property is proposed to be developed for a four storey rental apartment building. The building will contain 12 residential units with a central elevator and 7 underground parking spaces and landscaped areas at the front and rear of the property. (see Site Plan and architectural drawings in the Appendix section)

The ground floor is raised to retain the existing slope of the property, to maintain the integrity of the soil, and the foundations of the adjacent properties to the rear of the lot. The front of the lot will be rejuvenated to invoke the natural stone elements and masonry of the current lot, while improving the visible streetscape through appropriate landscaping and suitable building scale. (see Landscaping Plan in Appendix section) The development will aim to meet the needs of the area for affordable housing, promoting infill on the site, while creating minimal impact within the urban residential neighbourhood.

The building envelope creates a unique shape that maintains a stepped or 'staggered' front facade along the curve of the roadside. The building then tapers
toward the rear yard where the building aligns itself parallel to the rear property line, leaving ample space for outdoor landscaped areas.

The ground floor of the proposed building is raised to suit the existing slope with the lot grade, while maintaining the roadside elevation and slope of the roadway. This will also accommodate the existing slope of the property as the grade increases to the rear of the property allowing the rear-facing residential units access to full natural lighting with the rooms above grade.

The renderings below show the front elevation of the proposed building from the east, the south and the north.


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The elevator will also allow for access to an underground parking area in the basement level of the building, which will also be accessible from the roadside on the south side of the front facade.

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The overall building height is four storeys, with the upper level being set further back from the interior property lines, to allow for increased privacy from the adjacent lots. The residential apartment dwellings will be provided with self-contained laundry, storage, kitchen and dining facilities, and are provided with ample natural lighting from the large windows with eastern and western exposure. The sun shadow study provided in the Appendix section shows the calculated shadows at different times of day depending on the seasons.

Each unit will also be provided with access to underground parking (both vehicular and bicycle parking), the underground garbage area and amenity spaces at grade.

The property is located on the west side of Acacia Avenue between Rideau Terrace and Chapleau Avenue in the Lindenlea community as shown below.


The area is a mix of low to mid-rise residential houses which abut the north side of the Beechwood Avenue Traditional Main Street. See image on the following page with the proposed building in the centre of the image and nearby mid rise and single family properties. An existing 12 storey apartment building is also nearby at the top left of the image below.

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To the immediate north of the subject property is a 3 storey plus atrium level rental apartment building which has its parking area located immediately to the north of the subject property. In addition another rental apartment building is located immediately to the west (rear) of the subject property. Lands to the south and east primarily consist of single family homes and there are also some new single family homes on Carsdale Avenue to the south east of the subject property. A triplex is currently under construction nearby at 30 Chapleau Avenue.

The property has 26.72 metres of frontage ( 87 ') on the west side of Acacia Avenue and a maximum lot depth of 25.41 metres ( $83^{\prime}$ ) and an overall lot area of 506 m 2 ( 5450 ft 2 ). The property is a pie shaped interior lot and the survey plan provides details on the location of the existing building on the property and other applicable surveying information.

At the present time there is a $11 / 2$ storey bungalow on the property which is located approximately 0.15 m from the edge of Acacia Avenue.

The road slopes downward travelling from north to south, with the western side of Acacia Avenue being of higher elevation than the eastern side. The subject property contains some sugar maple trees along the south and west property lines which will need to be removed as part of the construction process.

Where the natural slope of the grade meets the pedestrian sidewalk, the property contains a stone retaining wall to maintain the level of the soil and to prevent soil erosion and to minimize the slope from the road itself from the facade of the existing residential building on the property.

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The intent of this Minor Zoning By-law amendment application is to allow for some minor modifications to the parent R4P zoning which is in place for the entirety of the property to allow for the building design and location that is being reviewed by the City as part of a Site Plan application.

An excerpt of the zoning mapping is below showing the subject property outlined as an R4P property as are other lands on the west side of Acacia Avenue


The Site Plan application is near the end of the process and many issues have been reviewed and addressed. There have been a number of meetings with the Community and City Staff and the local Councillor in order to work out a number of details that have been raised over the course of the Site Plan approval process.

These minor modifications to the parent R4P zoning are as follows:

1. To allow for a minimum front yard setback of 0.91 m while the R4P zoning requires a front yard setback of 2.55 m
2. To allow for a minimum interior side yard setback of 2 m while the R4P zoning requires a minimum interior side yard setback of 2.5 m
3. To allow for a minimum rear yard lot area of $116 \mathrm{~m} 2(22.9 \%$ of lot area) while the zoning requires a minimum lot area of $126.6 \mathrm{~m} 2(25 \%$ of the lot area)
4. To allow for a minimum rear yard setback of 4.697 m while the zoning requires a minimum rear yard setback of 5.39 m

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5. To allow for a total usable rear yard amenity area of 102.2 m 2 while the zoning requires a total rear yard amenity area of 120 m 2 based on the number of units. Of the 102.2 m 2 of provided rear yard amenity area, 80 m 2 is soft landscaping and the zoning requires 96 m 2 to be soft landscaping ( $80 \%$ of total rear yard amenity area requirement). The total amenity area requirements are for 144 m 2 and the proposal calls for 102.2 m 2 to be provided. It should be noted that previous designs had a rooftop amenity area that would have provided the required amenity area however nearby neighbours were not in favour of this feature and the height of the elevator shaft to the roof level that would have resulted..
6. To allow for a reduced driveway aisle in the underground parking of 5.46 m in width while the zoning requires a 6 m driveway aisle.

The details of the requested zoning modifications are described as follows:

## Front Yard Setback

As shown on the plans filed with the application, due to the intent to have a front facade that is not along one consistent facade there is a variable front yard setback along Acacia. The area of the frontage that exceeds the zoning requirement of 2.5 m represents only approximately $1 / 2$ of the Acacia frontage. The closest point of the proposed building to the front lot line is on the north side of the frontage along Acacia closest to the parking area of the low rise apartment building to the north. The existing building is 0.15 m from the front lot line.

## Interior Side Yard Setback

As shown on the plans the intent is to have interior side yard setbacks on both sides of the building of 2 m and the by-law requirement is for 2.5 m side yard setbacks when the building height is in excess of 11 m (maximum building height $=13.58 \mathrm{~m}$. The current side yard setback on the north side adjacent to the multi unit building is 0.6 m . It should be noted that on the south side of the property the property immediately to the south has some minor encroachments onto the subject property.

## Minimum rear yard setback

As shown on the plans, the rear yard area is 116 m 2 ( $22 \%$ of lot area) and the zoning requirement is 126 m 2 ( $25 \%$ of the lot area). This is a small deviation from the zoning requirements.

## Minimum amenity area

There is a zoning requirement for 120 m 2 of rear yard amenity area for residents and $80 \%$ of that area is to be comprised of soft landscaping. The current plans

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show 102.2 m 2 of rear yard amenity area and $78 \%$ of that provided rear yard amenity area is comprised of soft landscaping. It is noteworthy that proposed changes to the R4 zoning that the Planning Department are in support of that are proposed to be heard by the Planning Committee and City Council in the late spring/early summer of 2020 would remove these amenity area requirements. Based on site topography and the non standard shape of the lot and the desire to provide increased underground parking in response to neighbours concerns the amount of lot area devoted to rear yard amenity area is not in conformity with the current zoning requirements.

## Parking modifications

The proposed development does not require any parking to be provided on site and the current plans show 7 parking spaces all of which are underground. Previous versions of the plans had 4 parking spaces and in response to community comments at meetings with nearby residents, we have increased the number of parking spaces. There is a small area of the underground parking aisle where the required 6 m driveway aisle for an underground parking aisle can't be met. The shape of the building footprint and the desire to have an efficient underground parking layout and an area for bicycle parking has required a small area (approximately 5 m in length) to not have the required 6 m aisle and the driveway aisle is 5.46 m at its narrowest point. The majority of the driveway aisle in the underground parking area is 6 m or greater. It should be noted that the portion of the underground driveway aisle that does not meet the zoning requirements is a single loaded aisle and is not an area where cars on either side would be backing in and out of their parking space. It is also of note that zoning requirements for a development such as this in this area of the City do not require any on site parking to be provided.

## Zoning

Under Zoning By-law 2008-250 the subject lands are zoned R4P under By-law 2008-250, as amended. This is a zone which permits a low rise apartment dwelling building.

In order to develop the property in the proposed configuration as a low rise apartment building some modifications to the zoning in effect for the property will be required and are listed in the previous section of this report.

It is important to note that the property immediately to the north and west and south on the same side of Acacia Avenue are also in the same R4 zone and some of these lands contain multi unit low rise apartment buildings.

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As well, approximately 250 m due west of the subject property there is a property in an R5C zone which contains a 12 storey apartment building (200 Rideau Terrace).

Lands to the south on this side of Acacia Avenue are all in an R4 zone leading towards Beechwood Avenue where the lands fronting onto Beechwood are in an TM8 zone.

The proposed development meets the majority of the zoning requirements and due to the site shape, topography and the desire to provide parking in excess of zoning requirements a number of zoning modifications are required. The front yard setback modification is not across the entirety of the front yard and the rear yard is close in size to the required but some of the rear yard lands can't be used for amenity purposes due to topography and terracing. Building height or unit density values are not exceeded through this application.

## Official Plan Designation - City of Ottawa Official Plan

The site is designated General Urban Area in the Urban Policy Plan of the City of Ottawa Official Plan.

This designation permits the 'development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances, in combination with conveniently located employment, retail, service, cultural, leisure, entertainment and institutional uses.

While the City is supportive of the establishment of a broad mix of uses in Ottawa's neighbourhoods, this is not meant to imply that all uses will be permitted everywhere within areas that are designated General Urban Area. The zoning by-law will continue to regulate the location, scale and type of land use in accordance with the provisions of this Plan. Within neighbourhoods, the zoning by-law will allow those uses that provide for the local, everyday needs of the residents, including shopping, schools, recreation and services. Subject to the policies below, the City supports infill development and other intensification within the General Urban Area in a manner that enhances and complements the desirable characteristics and ensures the long-term vitality of the many existing communities that make up the city.

Key policies within Section 3.6.1 of the Official Plan are listed below with a brief description in italics and underlined for their applicability for this property.

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## Policies

1. 3.6.1.1 General Urban Area areas are designated on Schedule B. 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. [Amendment \#150]. The proposed use would be a low rise apartment building (housing).
2. 3.6.1.3 Building height in the General Urban Area will continue to be predominantly Low-Rise. Within this range, changes in building form, height and density will be evaluated based upon compatibility with the existing context and the planned function of the area. The existing and proposed building is 4 storeys in height and no modifications to the height limit ( 14.5 m ) are contemplated.
3. The General Urban Area permits uses that may generate traffic, noise or other impacts that have the potential to create conflicts with the surrounding residential community. These types of uses are often large and serve or draw from broader areas. The City will ensure that anticipated impacts can be adequately mitigated or otherwise addressed. The proposal calls for 6 or 7 parking spaces all accessed through one access at the south edge of the frontage as far away as possible from the intersection of Acacia/Rideau Terrace. With only 6 to 7 parking spaces proposed the expected impact on the surrounding streets will be negligible.

Key policies within the General Urban Area designation that are applicable to this zoning application:

- 4.11.5) Compatibility of new buildings with their surroundings. New developments are to show how their design fits with the existing desirable character and planned function of the surrounding area in the context of :1) setbacks, heights and transitions: The majority of the setback requirements can be met and the height limit is also met on a site that has grade change across the site. The proposed building will provide a suitable transition between nearby higher density buildings on Rideau Terrace and Beechwood and will contribute to the urban setting by providing a low density housing opportunity in this residential neighbourhood. 2) Facade and roofline articulation. The location and orientation of vehicle access and egress should address matters such as the impact of noise, headlight glare and loss of privacy on development adjacent or immediately opposite. The vehicular access to the site will be via an access point to the underground parking level which is located to have the maximum visibility for southbound traffic from the intersection of Acacia/Rideau Terrace and the driveway to the underground parking will

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also line up with Carsdale Avenue on the east side of Acacia Avenue. This will allow for a 4 way access point which is the preferred option from a vehicular safety point of view. Any headlight glare is minimized as the entrance to the property is immediately opposite the subject property.

- 4.11.2.c) Parking requirements. The development should have adequate on-site parking to minimize the potential for spillover parking on adjacent areas. All parking for the building is provided in one underground parking area with one means of access directly from Acacia Street. The parking being provided (7 spaces) exceeds the City parking requirements (for a residential use like this the required parking is 0 spaces. The amount of parking being provided will minimize the potential for any spillover parking on adjacent areas. The property is on OC Transpo Route 6 and is also within walking distance of OC Transpo Route 7 along Beechwood Avenue.

In addition, the subject property is located on the western boundary but outside of the Rockcliffe Park residential district that is within the Secondary Plan for the former Village of Rockcliffe Park which are discussed within the City of Ottawa Official Plan. Key sections are listed below:

The residents of the former Village of Rockcliffe Park wish to sustain the character and quality of the environment in which they now live. The Village is fortunate to have the beauty of its landscape with its high canopy of trees, open spaces and vistas, the Lake and the Pond, informal small-scale roads, and unobtrusive sitting of houses. As a residential neighbourhood close to the centre of a large urban area, the Village has successfully retained a reasonably well-balanced ecological condition. It is therefore the desire of the community, as expressed in this Plan, to protect the present environment, including the spatial relationships between buildings, and to conserve and restore the quality of the landscape wherever and whenever this is opportune and feasible.
2.2.1 The development and conservation of natural and cultural resources in the former Village of Rockcliffe Park shall be based on the principle of sustainability.
2.2.3 It is the policy of the Plan to ensure that the natural landscape amenities are preserved whenever possible. The preservation of the Rockcliffe Park environment, particularly where heavily wooded areas are involved, requires special consideration of the location and type of housing. The property has a few sugar maples along the perimeter of the property which the Landscape Architect has identified would not survive construction and the Forestry Branch is aware of this.
2.2.5 All New Residential Development must be connected to the public water and sanitary sewer systems. The property is on full municipal services.
2.2.9 The conservation of energy is a beneficial and desirable objective. The City

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will encourage the use of energy conservation techniques and design in developments.
2.3.2 The former Village of Rockcliffe Park is considered to be an unusual real estate marketplace within the City of Ottawa. Its central location, unique character and other features have created a demand for housing which historically exceeds supply, and as a consequence the prices of homes in the Village are generally higher than average in Ottawa. The price of vacant land is also subject to these market demand forces, to the extent that the ability of the Village to produce affordable housing is severely limited, if not negated
2.3.2.1 Council acknowledges that it is important to plan for a supply of residential land that meets the anticipated demand for housing in the former Village of Rockcliffe Park. It is also the Council's objective that this area will create the opportunity for the provision of a minimum of one-third of all new housing to be higher density Residential Development and Redevelopment, including townhouses and cluster housing.
2.3.3.1 Council recognizes the following housing types in the former Village of Rockcliffe Park: detached single-family dwellings, semi-detached dwellings, attached dwellings, such as townhouses and cluster housing. These land uses shall be governed by specific land use policies for the Residential Areas as per Section 2.4 of this Plan, and by the Zoning By-law, as well as other policies in this Plan.
2.4.4.2 Where new Development is proposed as Infilling, Council and when applicable, the Land Division Committee, or Committee of Adjustment shall consider the following matters: 1. Sufficient information regarding the nature of the proposed use, existing site conditions, proposed lotting (drawn to scale), availability of water and sewer services, and similar information shall accompany the application 5. The height, massing, setbacks and Floor Area Ratio of new Development shall conform to the zoning or interim control regulations in force at the time and new development shall be compatible with the adjacent development in terms of building height, massing, setbacks and open space 6. Consents and Infilling should be conditional on the conservation of the existing landscape features including trees and open space 7. Consents and Infilling shall not be granted in areas where future driveway access will create a traffic hazard

The proposed construction at 65 Acacia Avenue does not stray from the prescribed secondary plan intended for the adjacent region of Rockcliffe Park, thereby limiting negative impacts upon the surrounding properties, and ensuring continuity within the residential community. The proposed development will require a request for minor variance to extend the building footprint into the 3 meter front yard setback, as well as reducing the rear yard area to accommodate

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the interior amenities required.
The Ottawa Official Plan allows for intensification in the Lindenlea-New Edinburgh region, enabling various forms of residential opportunities. The site will aim to create a sensible residential complex that suits the character and humanistic scale of the area, and promotes the Garden City roadside appeal found throughout the residential neighbourhood.

## Conclusions

This minor rezoning application to recognise some of the site shape and size issues and also to allow the maximum amount of underground parking that is feasible through a redevelopment of the site that is otherwise zoning compliant in terms of its use that will not have an undue impact on surrounding lands and the neighbourhood in general.

It is being proposed at an appropriate scale and will be compatible with surrounding land uses and will not cause undue impact on the adjacent lands.

Should you have any questions or require anything further, please do not hesitate to contact the undersigned.

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## APPENDIX <br> SURVEY PLAN, SITE PLAN, LANDSCAPING PLAN, ARCHITECTURAL DRAWINGS AND SUN SHADOW PLAN

Bearing Note
Elevation Notes


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| CO-ORDINATES ARE MTM ZONE 9, N.A.D. 1983 (ORIGINAL), TO URBANACCURACY PER SEC. 14 (2) OF O.REG. 216/10, AND CANNOT, IN THEMSELVES,BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN |  |
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Notes \& Legend






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[^0]:    Paul Robinson RPP

