



Planning Rationale in Support of Applications for Minor Zoning By-law Amendment and Site Plan Control

**630 Cummings Ave
City of Ottawa**

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June 30, 2020

TABLE OF CONTENTS

1.0	INTRODUCTION.....	1
1.1	PURPOSE OF REPORT.....	1
1.2	BACKGROUND	1
1.3	DESCRIPTION OF SUBJECT PROPERTY	1
1.4	DESCRIPTION OF THE PROPOSED REDEVELOPMENT	1
1.5	PROPOSED ZONING BY-LAW AMENDMENT.....	2
1.6	DESCRIPTION OF PUBLIC CONSULTATION.....	2
2.0	PLANNING & POLICY CONTEXT	4
2.1	PROVINCIAL POLICY STATEMENT (PPS).....	4
2.2	CITY OF OTTAWA OFFICIAL PLAN (OP)	4
2.3	CITY OF OTTAWA ZONING BY-LAW (ZONING BY-LAW)	6
3.0	CONSISTENCY AND COMPATIBILITY	8
4.0	CONCLUSION.....	9

LIST OF EXHIBITS

Exhibit A: Photo of the Cummings Avenue portion of the Subject Property.....	1
Exhibit B: Google Earth view of the Subject Property.	2
Exhibit C: Site plan (cropped, excluding parking in front yard).....	3
Exhibit D: GeoOttawa map identifying zoning for the Subject Property (red star) as R4N.....	6

1.0 INTRODUCTION

1.1 *Purpose of Report*

Holzman Consultants Inc. ("HCI") was retained by the Applicant to prepare a planning rationale in support of applications for Minor Zoning By-law Amendment and Site Plan Control for 630 Cummings Ave (the "Subject Property"). These applications are to facilitate the Applicant's proposal to construct two additions on either side of the existing low-rise apartment dwelling on the west side of Cummings Ave in Ward 13 (Rideau-Rockcliffe) of the City of Ottawa.

1.2 *Background*

A pre-application consultation was held in April of 2019 to review submission requirements to advance applications for Minor Zoning By-law Amendment and Site Plan Control for the Subject Property. HCI and the Applicant have been preparing the attached necessary studies and reports to address the requirements.

1.3 *Description of Subject Property*

The Subject Property is an irregular T-shaped lot with 6.10m of frontage on the east side of Borthwick Avenue (the longest edge is along Cummings and is 55.305m long). Per Annex 1 of the Official Plan, a ROW widening is expected such that 12m is provided on either side of Cummings from centreline for the 24m urban collector right-of-way from Montreal to Donald. As a result, the Subject Property will have a site area of 1546sqm, after the land takings. Refer to **Exhibit A**.

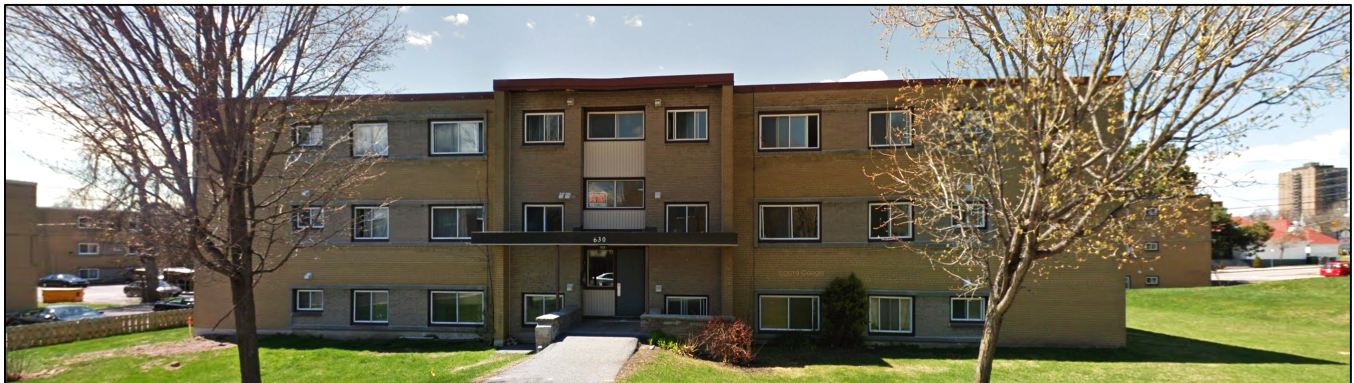


Exhibit A: Photo of the Cummings Avenue portion of the Subject Property.

The Subject Property is legally described as:

PLAN 343 LOTS 14 TO 18 PT; LOTS 13 37 38 RP 5R14833; PARTS 10 TO 13

The abutting land uses are all low-rise apartment dwellings as well. Refer to **Exhibit B**.

1.4 *Description of the Proposed Redevelopment*

The purpose of the application is to facilitate the client's proposal to construct two additions on either side of the existing low-rise apartment dwelling. The fully built out redevelopment will contain 42 units over three floors in a building up to 10.185m in height. Internal modifications result in this new total unit count. Refer to **Exhibit C**.



Exhibit B: Google Earth view of the Subject Property.

1.5 Proposed Zoning By-law Amendment

An amendment is required for the Subject Property, with the draft Urban Exception outlined below.

Table 1: Draft Zoning By-law Amendment for the R4N [XX] Zone

I – Exception Number	II – Applicable Zones	III – Additional Land Uses Permitted	IV – Land Uses Prohibited	V – Provisions
XX (By-law 2020-XX)	R4N [XX]	None	None	<ul style="list-style-type: none"> - minimum lot width 6.1m - minimum interior side yard setback 1.91m - minimum rear yard setback 2.945m - minimum resident or visitor vehicle parking spaces 10 (at a rate of 1 space per 4.2 dwelling units) - 10 vehicle parking spaces may be located in a required and provided front yard with 0% and 0m landscaped buffers to the front lot line - vehicle parking drive aisle may be located on an abutting lot and provide access to spaces via an easement - vehicle parking may be accessed directly from a public street via the drive aisle (not a driveway) - waste management may be permitted in an exterior fenced area in the front yard and located 1.54m from any other lot line

1.6 Description of Public Consultation

As part of the redevelopment process, stakeholders have been engaged throughout the pre-consultation process, and their feedback has been considered in the proposed redevelopment proposal. Moving forward, there will be additional opportunities for public comment and stakeholder consultation per the Planning Act processes, and we look forward to the feedback at these times.

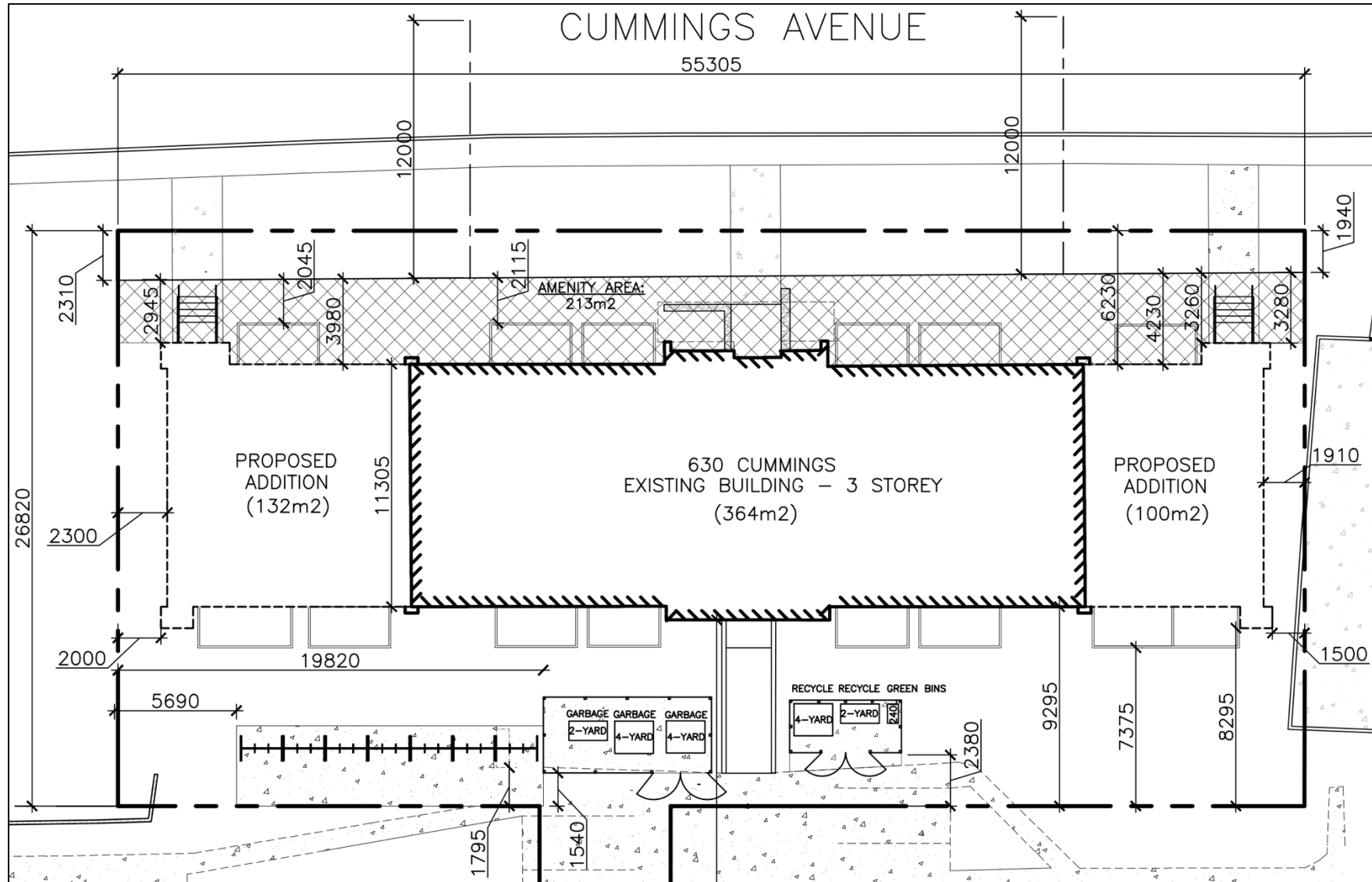


Exhibit C: Site plan (cropped, excluding parking in front yard)

2.0 PLANNING & POLICY CONTEXT

2.1 *Provincial Policy Statement (PPS)*

The PPS is issued under the authority of Section 3 of the *Planning Act*. It provides direction on matters of provincial interest related to land use planning and development, promoting the provincial policy-led planning system.

According to the PPS, the vision for Ontario's land use planning system is to carefully manage land to ensure appropriate development to satisfy current and future needs. In addition, land planning must promote efficient development patterns, which promote a mix of housing, employment, open spaces and multimodal transportation. The PPS ultimately aims to encourage communities that are economically strong, environmentally sound, and that foster social wellbeing. The PPS sets a time horizon of up to 20 years during which time there should be a sufficient supply of land for housing, employment opportunities and other uses to meet the demand of communities. The supply of land is to be controlled through three mechanisms: redevelopment, intensification and designation of growth areas.

Per Section V Policy 1.1.1 (b) of the PPS,

Healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.

Per Section V Policy 1.1.3.4,

Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Per Section V Policy 1.4.3 (b) (ii)

Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by permitting and facilitating all forms of residential intensification, including second units, and redevelopment...

It is our opinion that these policies, as well as the PPS overall, are respected through the requested Minor Zoning By-law Amendment and Site Plan.

2.2 *City of Ottawa Official Plan (OP)*

The Subject Property is currently designated General Urban Area in the OP, which permits the development of a full range of housing types and densities. Proposals for residential intensification in the General Urban Area will be considered by the City in the context of their compatibility with existing community character, established land use patterns and built form. The policies of the General Urban Area specifically provide that the City will "assess ground-oriented multiple housing forms... as one means of intensifying within established low-rise residential communities".

Per Section 2.5.1 – Designing Ottawa,

... compatible development means development that... can enhances [sic] an established community through good design and innovation and coexists with existing development without causing undue adverse impact [sic] on surrounding properties. It 'fits well' within its physical

context and 'works well' with the existing and planned function. Generally speaking, the more a new development can incorporate the common characteristics of its setting in the design, the more compatible it will be.

Per Section 2.5.2 – Affordable Housing,

One-third of Ottawa's households rent their housing (2011 National Household Survey), yet less than 20 per cent of the housing constructed between 2006 and 2011 was purpose built as rental units and this includes units built with senior government financing. The conversion of units from rental to ownership has the potential to tighten up this undersupplied rental market. All housing is potentially threatened by aging and lack of repair and senior government contributions toward residential rehabilitation programs are on the decline. Demolition of affordable housing when new development occurs is also an emerging issue. All housing is potentially threatened by aging and lack of repair.

Per Section 4.5.4, *"The maintenance and rehabilitation of the existing housing stock will be ensured through enforcement of the property standards by-law and support for residential rehabilitation assistance programs."*

Additionally, per Annex 1, Cummings, from Montreal to Donald, is to be a 24m urban collector protected right-of-way. Based on the survey completed, a 1.94m to 2.31m wide land taking is expected, and as a result, all of the measurements in this analysis have been based off of the lot after the ROW widening, while working within its unique building envelope.

There are no Secondary Plans / Community Design Plans for the Subject Property; however, the Urban Design Guidelines for Low-Rise Infill Housing offer the following additional guidance:

- *Ensure new infill faces and animates the public streets. Ground floors with principal entries, windows, porches and key internal uses at street level and facing onto the street, contribute to the animation, safety and security of the street.*
- *Locate and build infill in a manner that reflects the existing or desirable planned neighbourhood pattern of development in terms of building height, elevation and the location of primary entrances, the elevation of the first floor, yard encroachments such as porches and stair projections, as well as front, rear, and side yard setbacks.*
- *In cases where there is a uniform setback along a street, match this setback in order to fit into the neighbourhood pattern and create a continuous, legible edge to the public street.*
- *Respect the grades and characteristic first floor heights of the neighbourhood by not artificially raising or lowering grades.*
- *Design all sides of a building that face public streets and open spaces to a similar level of quality and detail. Avoid large blank walls that are visible from the street, other public spaces, or adjacent properties.*
- *Design infill to be rich in detail and to enhance public streets and spaces, while also responding to the established patterns of the street and neighbourhood. To appropriately transition into an established neighbourhood, consider elements from the neighbourhood such as:*
 - *Materials, patterns and colours used in wall treatments*
 - *Cornice lines, form of the roofline and chimney details*
 - *Size, shape, placement and number of doors and windows*
 - *The pattern and location of projections, recesses, front porches, stoops, and balconies*
- *Limit the area occupied by driveways and parking spaces to allow for greater amounts of soft landscape in the front and rear yard. Reduce the width and length of driveways and parking spots, and use permeable pavers to minimize the visual and environmental impacts of hard surface areas.*
- *Limit the number and width of access depressions (curb cuts), and share driveways in order to maintain as much on-street parking as possible.*

Overall, it is our opinion that these policies and guidelines, as well as the OP overall, are respected through the requested Minor Zoning By-law Amendment and Site Plan.

2.3 City of Ottawa Zoning By-law (Zoning By-law)

The Subject Property and those around it are zoned Residential Fourth Density Subzone N – R4N. Refer to **Exhibit D**. Compliance with the performance provisions (after the ROW widening) is outlined in **Table 2**.

The stated purpose of the R4N zone is to “allow a wide mix of residential building forms ranging from detached to low rise apartment dwellings, in some cases limited to four units, and in no case more than four storeys, in areas designated as General Urban Area in the Official Plan”.

Per the R4 zoning, “Thirty percent of the lot area must be provided as landscaped area for a lot containing an apartment dwelling, low rise, stacked dwelling, or retirement home, or a planned unit development that contains any one or more of these dwelling types”.

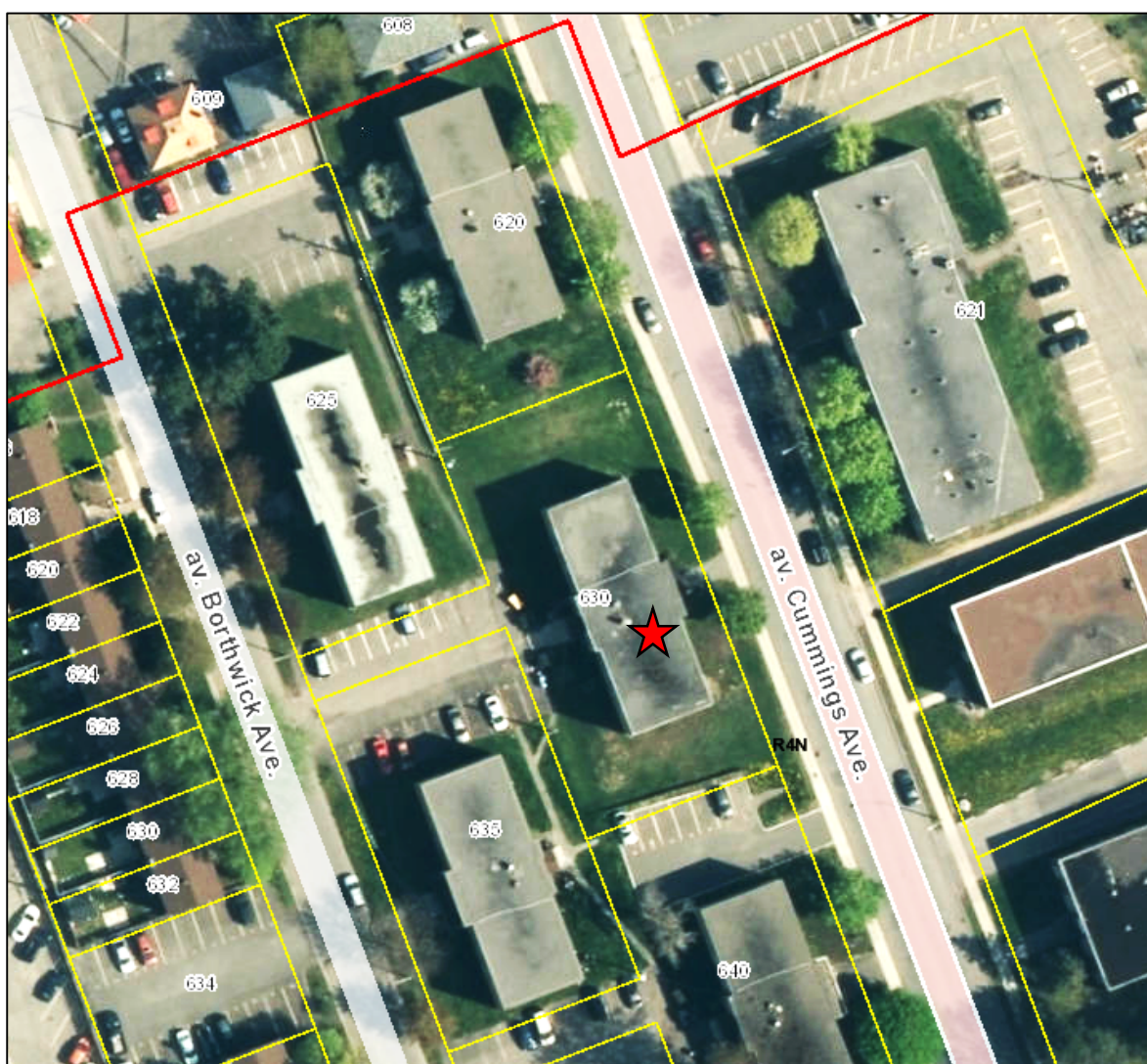


Exhibit D: GeoOttawa map identifying zoning for the Subject Property (red star) as R4N.

Per Section 100.1 (c), *“Parking...and aisles leading to those spaces must be provided for each land use... and except for driveways, must be located on the same lot as the use or building for which they are provided, except where otherwise permitted.”*

Per Section 100.5, *“All motor vehicle parking spaces and queuing and loading spaces must have unobstructed access directly to a public street by: a driveway or private way; an aisle leading to a driveway; or a public lane.”*

Per Section 109.3 (a) (i), *“In the R1, R2, R3, R4, R5, V1, V2 and V3 zones, no parking space may be established and no person may park a motor vehicle in a required and provided front yard...”*

Per Section 110.1, *“...a minimum of 15% of the area of any parking lot, whether a principal or an accessory use, must be provided as perimeter or interior landscaped area comprised of...a landscaped buffer must be provided between the perimeter of the parking lot and a lot line...”* with 3m for 10-100 spaces.

Per Section 110.3, *“All outdoor loading and refuse collection areas contained within a parking lot must be: located at least nine metres from a lot line abutting a public street; located at least three metres from any other lot line; and screened from view by an opaque screen with a minimum height of two metres.”*

Additionally, per Section 135.1, *“In the case of a residentially-zoned through lot, or corner through lot, the minimum required front yard setback applies to both the front and rear lot lines, in accordance with the provisions of the Residential zone or zones in which such lot is located and the minimum required rear yard setback does not apply”.*

Per Section 143,

In any R1, R2, R3 or R4 zone, any building exceeding 400 square metres in total floor area must provide the following: (By-law 2019-410)

1. *Include a path for the movement of garbage containers between a garbage storage area and the street line or travelled public lane, and such path must be:*
 - a) *not less than 1.2 metres in width;*
 - b) *unobstructed by any projection or accessory structure to a height of 1.5 metres above the path surface;*
 - c) *uninterrupted by any window well, depression or grade change that would impede the movement of a wheeled garbage container;*
 - d) *for that part of the path located outside a building, paved or finished with hard landscaping and may be on a driveway or walkway; and (By-law 2019-410)*
 - e) *notwithstanding the above, a service vent or utility may encroach no more than 0.30 metres into the above path.*
2. *A garbage storage area for any building containing: (By-law 2019-410)*
 - a) *a rooming house;*
 - b) *an oversize dwelling unit; or*
 - c) *more than two but not more than five dwelling units. (By-law 2019-41)*
3. *The garbage storage area required by (b) must:*
 - a) *be located within*
 1. *the principal building, or*
 2. *an accessory building located in the rear yard;*
 - b) *have a total volume of not less than 3.5 cubic metres with a minimum floor area of not less than 2.0 square metres;*
 - c) *be located adjacent to the path required by clause (a); and,*
 - d) *Notwithstanding (i)(1) above, in the area shown on Schedule 383, the garbage storage area must be located only within the principal building.*

Table 2: Relevant Performance Provisions and Compliance Per the Zoning Bylaw

Provision	Standard R4N	Redevelopment	Proposed R4N [XX]	Amended
Min. Lot Area	540sqm	1546sqm (after ROW widening)	540sqm	No
Min. Lot Width	18m	6.1m	6.1m	Yes
Min. Front Yard Setback	6m	35.5m	6m	No
Min. Interior Side Yard Setback	6m	1.91m	1.91m	Yes
Min. Rear Yard Setback	6m	2.945m (after ROW widening)	2.945m	Yes
Max. Building Height	11m	10.97m	11m	No
Minimum Amenity Area	Total: 324sqm Communal: 120sqm (landscaped, rear yard)	Total: 413sqm Communal: 213sqm (after ROW widening)	Total: 324sqm Communal: 120sqm (landscaped, rear yard)	No
Minimum Vehicle Parking Spaces	Number: 18 Spaces: 2.6mx5.2m, Drive Aisle: 6.7m	Number: 10 Spaces: 2.6mx6.1m, Drive Aisle: 9.41m	Number: 10 Spaces: 2.6mx5.2m, Drive Aisle: 6.7m	Yes No
Minimum Bicycle Parking Spaces	Number: 21 Spaces: 0.6mx1.8m, Aisle: 1.5m	Number: 21 Spaces: 0.6mx1.8m, Aisle: 1.5m	Number: 21 Spaces: 0.6mx1.8m, Aisle: 1.5m	No No
Waste Management	Path Width: 1.2m Location: Rear Yard Accessory Building	Exterior fenced area in front yard	See draft ZBA text above in Table 1 re: Sections 110.3 and 143	Yes
Other	30% of lot area landscaped	38%	30%	No

Overall, it is our opinion that the general intent of the Zoning By-law is respected through the requested Minor Zoning By-law Amendment and Site Plan. Furthermore, it will have a minimal negative impact on the surrounding properties when compared to the existing conditions due to its unique building envelope and T-shaped lot. Finally, the building is located in a neighbourhood that has similar low-rise apartment buildings, and the proposed redevelopment building has been designed to continue to present same façade along Cummings Avenue, which is the perceived front yard. As such, the requested amendments dealing with these affected elements are reasonable given the difference between perception and technicality.

3.0 CONSISTENCY AND COMPATIBILITY

This amendment is required to facilitate the functional and financially-viable redevelopment of the Subject Property, with its unique building envelope. That said, the impact of this amendment would be minimal. As the land use is permitted on site, this application is deemed a Minor Zoning By-law Amendment for the performance standards only, not uses.

Additionally, the requested amendments are largely due to the Subject Property's unique building envelope and T-shaped lot. In fact, per the Zoning By-law, the perceived rear yard is actually the front yard, and the perceived front yard is actually the rear yard. This is due to the tongue of the T-shaped lot continuing through to its frontage on Borthwick. The performance standards, even those for through lots, are written for more typical conditions and lot shapes; therefore, the requested amendments have less of an impact and are still compatible with the intent of the By-law.

The amendments for lot width and the rear yard setback are required to address existing conditions; furthermore, while additional units are being added, parking performance standards are limited to the existing area as well. The associated reduction in parking, at a rate of 1 space per 4.2 dwelling units, is

balanced out with the full provision of required bicycle parking on site, and the Subject Property is also in close proximity to Montreal Road for access to active and public transportation options.

The amendments for the interior side yard setback are due to the proposed additions on site that will contribute added rental housing in the City, which is a notable desired aspect highlighted in the Official Plan. Simultaneously, the new waste management area requires an amendment due to the difference in perceived versus technical front/rear yards and the limited space on site to distance itself from lot lines.

Therefore, the proposed redevelopment of the Subject Property is consistent and compatible with its site and policy context; in fact, it will have a minimal negative impact on the surrounding properties when compared to the existing conditions due to its unique building envelope and T-shaped lot.

4.0 CONCLUSION

From the review of the planning policy context and the consistency and compatibility of the proposal with the OP and Zoning By-law, it is our professional planning opinion that the applications for Site Plan Control and Zoning By-law Amendment represents good land use planning.

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Attachments