

April 11, 2022

**Mr. Jeff Nadeau**  
Planner II  
Development Review, Central  
Planning, Infrastructure and Economic Development Department  
City of Ottawa  
110 Laurier Avenue West,  
Ottawa, ON K1P 1J1

**RE: Planning Rationale  
154 O'Connor Street, City of Ottawa  
Minor Zoning By-law Amendment**

Dear Mr. Nadeau,

On the behalf of TKS Holding Inc. ('the applicant'), Fotenn Consultants Inc. ('Fotenn') has prepared the following Planning Rationale in support of an application for a Minor Zoning By-law Amendment to permit the continued use, on a temporary basis, of a commercial public parking lot on the property known municipally as 154 O'Connor Street in the Centretown Neighbourhood of the City of Ottawa.

The extension of the temporary zoning by-law will permit the existing use to continue until such a time as the subject property can be developed with an appropriate long-term use.

Sincerely,



Thomas Freeman, B. URPL  
Planner



Bria Aird, RPP MCIP  
Planner

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**FOTENN**

## 1.1 Subject Property and Surrounding Context

The subject property is located on the corner of Gloucester Street and O'Connor Street in Centretown. It is municipally known as 154 O'Connor Street. The site has approximately 30.2 metres of frontage onto Gloucester Street, 30.2 metres of frontage onto O'Connor Street and an area of 913 square metres. The subject property was occupied by a gas station that was decommissioned and replaced by a restaurant through a Site Plan Control application in 2012.



Figure 1: Excerpt from GeoOttawa Highlighting Subject Property in Blue

The existing building, approximately 150 square metres in size, accommodates the restaurant use. A patio associated with the restaurant use is currently situated in front of the building on the O'Connor Street side, and was permitted through a Minor Variance application in 2015. Five (5) of the existing sixteen (16) parking spaces are reserved for the restaurant use.

The subject property is accessed via the two existing entrances, one located on O'Connor Street and the other on Gloucester. Vehicular access is provided directly to the adjacent property at 138 Gloucester Street.

The subject property is partially occupied by a commercial parking lot which consists of 11 parking spaces on the subject property. The commercial parking lot is connected to and is operated by Capital Parking Inc. as part of a commercial parking lot on adjacent properties, including approximately 20 spaces at 138 Gloucester Street, and approximately 24 spaces at 143 Nepean Street. It is Fotenn's understanding that commercial parking lot is a legal non-conforming use on these adjacent lands, which are not the subject of the current Zoning By-law Amendment application. A small parking lot attendant booth serving all properties is located at the northeast corner of the subject property.

The municipal sidewalk along O'Connor Street abuts the corner side lot line, while there is a partially landscaped boulevard approximately 1 metre in width between the front lot line and the sidewalk along Gloucester Street. A 1.3 metre landscaped buffer is provided in the front yard, and a 2.1 metre landscaped buffer is provided in the corner side yard. A concrete pathway and the existing building buffers the rear lot line. Surface planter boxes are proposed to be reinstated on this rear pathway, consistent with the approved site plan. The existing landscaping features will be maintained as part of the temporary use extension request.

The surrounding context varies. As the site is situated just south of the City's Central Business District, the area to the north is dominated by high profile office and residential development. Directly across Gloucester Street to the north is the 21 storey Esplanade Laurier.



Figure 2: Subject Property from O'Connor Street



Figure 3: Subject Property from Gloucester Street

To the west of the commercial parking lot is a two-storey office building. To the south of the site is a two storey residential building which has been converted to a convenience store, and a three and a half storey building owned by the City of Ottawa. The area to the east, across O'Connor Street, is defined predominantly by medium to high profile residential development.

## 1.2 Policy and Regulatory Framework

### 1.2.1 Ontario Planning Act

The Ontario Planning Act sets out temporary zoning by-laws as a tool that a municipality can employ to permit a use on a temporary basis for a period of up to three (3) years following any application. Under Section 39 of the Planning Act there is no limit to the number of times that a temporary use by-law may be extended by council.

### **The proposed Zoning By-law Amendment is permitted through the Ontario Planning Act**

### 1.2.2 City of Ottawa Official Plan (2013, as amended)

The site is designated General Urban Area on Schedule B – Urban Policy Plan of the City of Ottawa Official Plan (OP). The General Urban Area designation permits a range of uses including all types and densities of housing, as well as employment, retail, service, industrial, cultural, and institutional uses among others. The temporary commercial parking lot and restaurant qualify as service uses and as such are permitted on lands designated General Urban Area.

The site development policies set out in Section 4.3 of the Official Plan require that parking and loading are appropriately landscaped and screened from adjacent properties and roadways.

The parking area is screened from view by landscaping including hardy trees and shrubs as well as a decorative fencing installed by the owner. The public benches are included as part of the landscape scheme. The visual impact of the parking lot is minimized by the landscape treatment and the mixed-use nature of the site.

Policy 13 in Section 5.2.1 of the OP states that:

The City, through a zoning by-law, may authorize the temporary use of lands, buildings or structures for any purpose set out therein that is otherwise prohibited by the comprehensive zoning by-law. A by-law authorizing a temporary use shall prescribe a period of time for the temporary use, which shall not exceed ten years for a garden suite and shall not exceed three years for all other uses. Council may grant further periods of not more than three years.

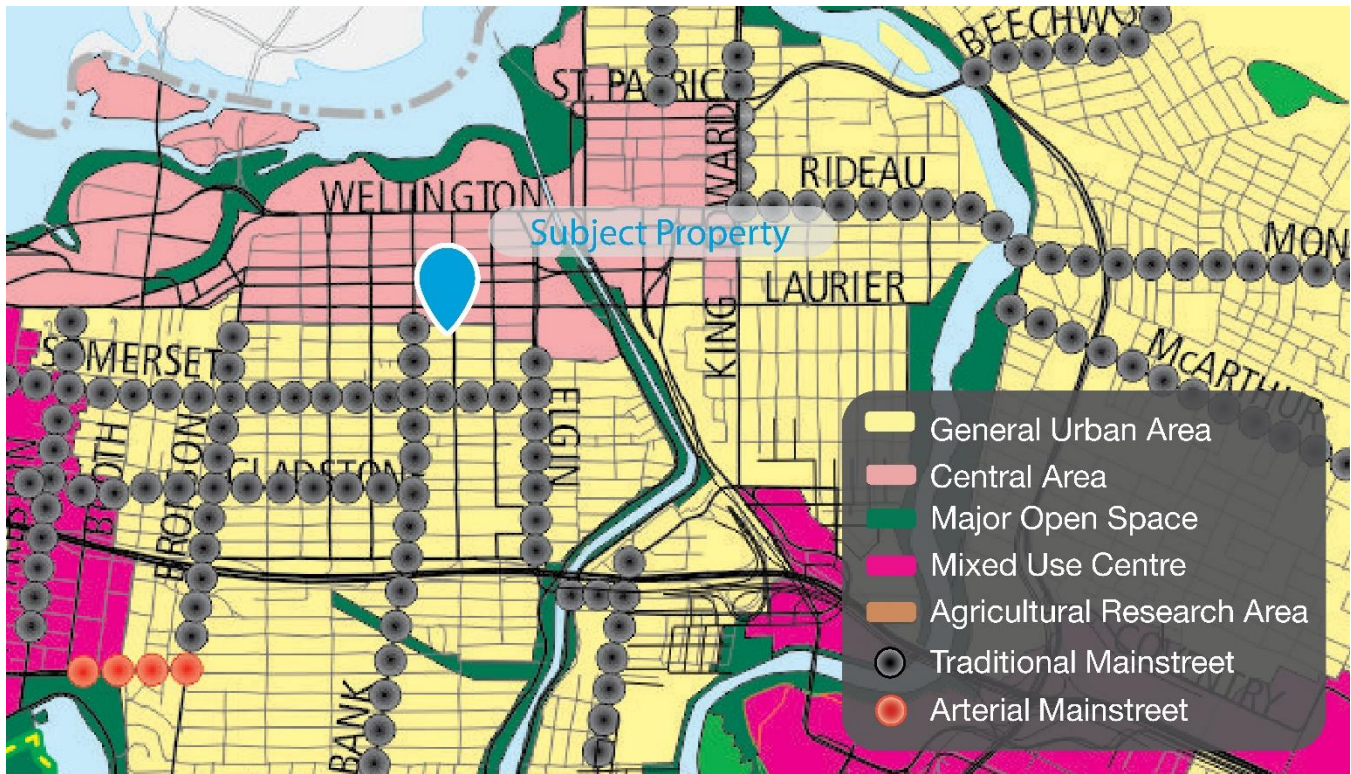


Figure 4: Schedule B - Urban Policy Plan

**The proposed Zoning By-law Amendment conforms with the applicable policies of the Official Plan.**

### 1.2.3 Centretown Secondary Plan

The Centretown Secondary Plan discourages the creation of new surface parking lots on newly vacant lands as stated in policy 3.6.1.7. The subject property does not constitute a newly vacant land and makes use of an underdeveloped lot on a temporary basis until future development can be realized.

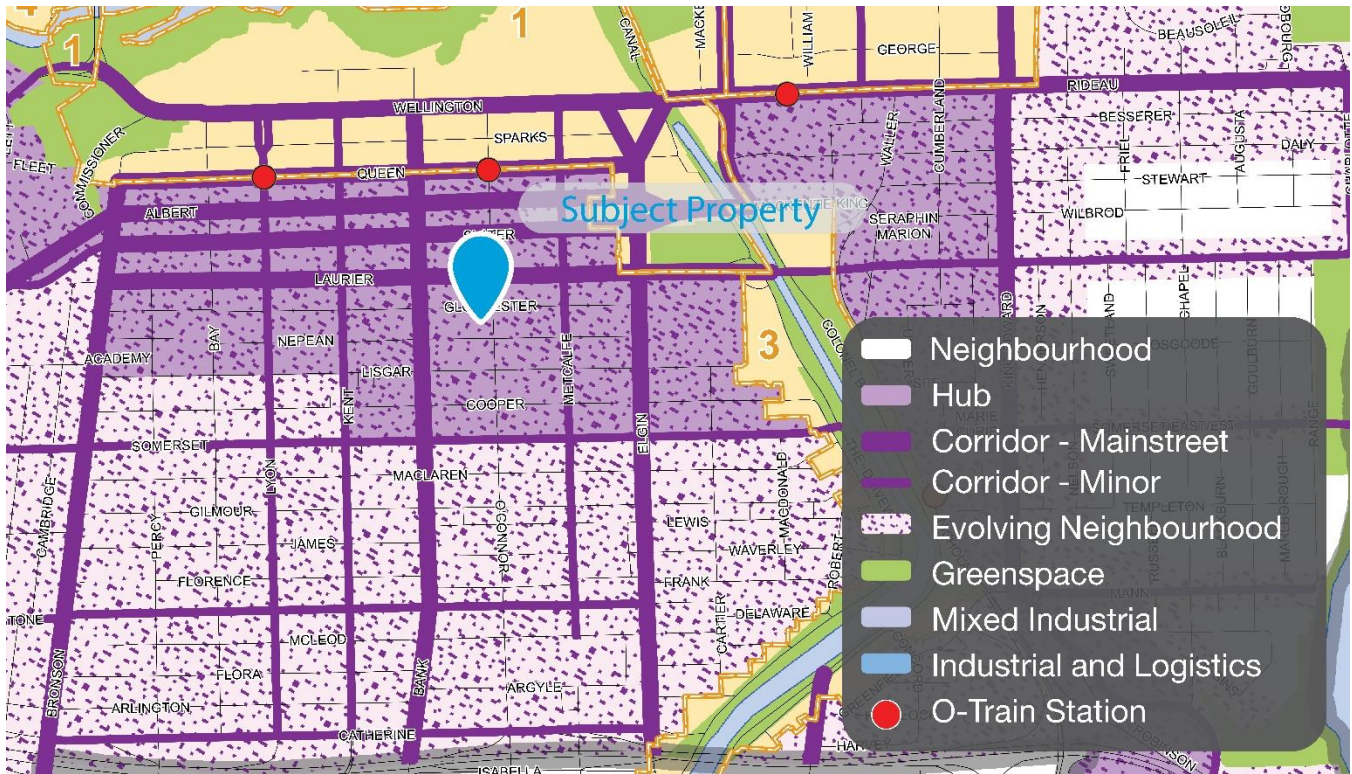
The subject property falls within the “Northern Character Area”, which does not include policies that directly address parking.

Policy 3.6.3.2 states that the City shall use the development application process to eliminate encroachments and improve the buffering of parking lots and associated streetscapes. Policy 3.9.5.7 of the Secondary Plan speaks to minimizing the impact of off-street parking. Front yard parking is generally discouraged in new development.

**By permitting the continued provision of parking over the short term, the zoning by-law amendment application will continue to support commercial activities in the vicinity of the subject property that rely on parking, consistent with the objectives of the Secondary Plan. The proposed zoning by-law amendment conforms to the policies of the Centretown Secondary Plan.**

**1.2.4 New City of Ottawa Official Plan (2021)**

The new Official Plan has been adopted by Council, but not yet approved by the Ministry of Municipal Affairs and Housing. This application has regard for the policies of the new Official Plan. The subject property is located within the Downtown Core Transect as outlined on Schedule A – Transect Policy Areas of the new Official Plan. The Downtown Core is noted as a mature built environment characterized by high densities, mixed uses, and sustainable transportation.



New automobile-oriented land uses and development forms, including surface parking lots, shall be prohibited through the zoning by-law as outlined in Policy 5.1.2 (1).

Motor vehicle parking in the Downtown Core shall be managed as follows:

- / Motor vehicle parking shall not be required in new development; and,
- / New surface parking lots, and expansions to existing surface parking lots, shall be prohibited in the Downtown Core, Policy 5.1.2 (3).

**The existing commercial parking lot does not constitute a new development, nor is being expanded in any way. While new surface parking lots and expansions shall be prohibited in accordance with these policies, existing parking lots are allowed to continue to operate until a more permanent development can be realized.**

**1.2.5 City of Ottawa Comprehensive Zoning By-law (2008-250)**

The subject property is zoned Residential Fifth Density, subzone B, Urban Exception 1789, with a maximum FSI of 3.0, R5B [1789] F(3.0). Exception 1789 permits the commercial parking lot on a temporary basis, along with other provisions relating to landscaping and setbacks.

The following table highlights the zoning provisions which apply to the parking lot use:

Provision	Permitted	Existing Condition Proposed to Continue
<b>Permitted Uses</b>	Parking lot, between March 25, 2015 and March 24, 2018, on a lot with another permitted use.	Parking lot use proposed to continue
<b>Accessory Building</b>	Minimum front yard setback: 1.2 m Minimum interior side yard setback: 0 m	Front yard: 1.3 m Interior sideyard: 0 m
<b>Minimum required parking</b>	Restaurant: none required	Five provided for restaurant use
<b>Location of Parking</b>	Section 109, which regulates the location of parking, does not apply	Located in front and corner side yard.
<b>Parking Lot Provisions</b>	Tandem and attendant parking permitted. Minimum aisle and driveway width: 6.0 m	Aisle and driveway width: varies: min/ approx. 6 m.
<b>Parking Lot Landscaped buffers</b>	Abutting a street: 1.2 m Abutting an existing parking lot on an adjacent lot: 0 m Abutting a lot line: 1.5 m Minimum landscaping: 15%	Abutting street: varies/minimum 1.2 m Abutting existing parking lot on adjacent lot: 0 m Abutting adjacent lot: 3 m (concrete walkway) Minimum landscaped area: wooden planters shown in 2012 Site Plan to be reinstated to meet minimum landscaping requirements.

This application does not aim to amend the zoning exception provisions as outlined in the Zoning By-law; but only seeks to extend the temporary use by-law to permit commercial parking for an additional three (3) years.

**It is requested to amend the Zoning By-law to permit parking lot as a temporary use for an additional three years. No changes are proposed to the site, with the exception of the reinstatement of wooden planters in conformity with the approved Site Plan Agreement for the subject property. The site development, as reflected in the approved Site Plan, complies with all other provisions of the Zoning By-law.**

### 1.3 Supporting Plans and Studies

A memorandum was prepared by CGH Transportation to assess potential traffic and safety concerns associated with the ongoing use of the property as a commercial parking lot.

As noted above, five (5) spaces are provided for the restaurant use, and 11 for the commercial parking lot use. If the restaurant use were the only use on the site, it would be expected to generate similar trips in the AM peak hour, and fewer trips in the PM hour, as compared to the existing parking lot use. The slightly higher rate of PM peak trip generation due to the commercial parking lot use is modest, and is accommodated by the network. No safety concerns were identified with the existing site use and access.

### 1.4 Conclusions

As noted earlier, the applicant is not in a position at this time to consider redevelopment of the subject property. Although the parking lot is not the preferred long-term use for the property, it is practical and reasonable given the existing site context. The temporary zoning by-law will continue to support other uses in Centretown and the downtown core by providing parking for visitors to the area over the next three years. Consistent with the approved Site Plan, the soft

landscaping and street furniture provided on and adjacent to the site contribute to the neighbourhood and mitigate visual impacts of the parking lot. A temporary use by-law extension will allow for the applicant to collect revenue from the existing parking lot area while preparing for future development on the site.

It is our professional planning opinion that the proposed amendment, for a temporary use, is appropriate and represents good planning for the reasons mentioned above and the following:

- / The proposed amendment is permitted through Section 39 of the Ontario Planning Act;
- / The proposed amendment conforms with the policies of the Official Plan (2003, as amended) and the Centretown Secondary Plan;
- / The proposed amendment conforms with the policies of the new Official Plan (2021); and,
- / The proposed amendment complies with the applicable provisions and exceptions of the City of Ottawa Comprehensive Zoning By-law (2008-250).



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