

**MINOR ZONING BY-LAW AMENDMENT APPLICATION
DELEGATED AUTHORITY REPORT
MANAGER, DEVELOPMENT REVIEW**

Site Location: 1058, 1062, 1066 Silver Street and 1305, 1295, and 1291
Summerville Avenue

File No.: D02-02-24-0041

Date of Application: August 9, 2024 (Deemed Complete February 7, 2025)

This MINOR ZONING BY-LAW AMENDMENT application, for the land zoned R4UC and R4UC[2812], in Zoning By-law 2008-250, as shown on the attached Zoning Key Map and submitted by Timothy Beed (Fotenn Planning + Design), on behalf of Ottawa Preston Holdings, is to permit a four-storey apartment building as detailed in the attached Supporting Documentation.

This application was processed as a minor re-zoning under the category of modifications to performance regulations only.

This MINOR ZONING BY-LAW AMENDMENT IS HEREBY APPROVED, and the following action is required:

1. That the Zoning Map of Zoning By-law 2008-250 amend the zoning over 1305, 1295, and 1291 Summerville so that it reads R4UC[2812]; and
2. That an exception be amended to Zoning By-law No. 2008-250 for this property with provisions similar in effect to the following:

Amend Exception 2812 Section 239 Urban Exceptions of By-law 2008-250 with provisions similar in effect to the following:

a) In Column V, Provisions, remove the text:

- Despite Section 162, maximum lot area: 1,580 m²

b) In Column V, Provisions, add the text:

- One lot for zoning purposes
- Despite Table 131, the minimum width of a private way in a Planned Unit Development is 3 metres.
- Table 131(2) does not apply to existing private ways.

- Despite Subsection 139(4), a 2 metre wide walkway is permitted.
- Subsection 144(6) does not apply.
- Minimum interior side yard setback: 1.4 metre setback for the first 21.5 metres from the street and 7.5 metre setback for the remainder.
- Despite Subclause 161(15)(b)(iii), a minimum of 32% of the rear yard must be softly landscaped.

April 14, 2025



Date

Lily Xu,
Manager, Development Review
Planning, Development and Building Services
Department

Enclosures: Minor Zoning By-law Amendment Supporting Information

Document 1 - Location Map

MINOR ZONING BY-LAW AMENDMENT APPLICATION SUPPORTING INFORMATION

File Number: D02-02-24-0037

SITE LOCATION

1058, 1062, 1066 Silver Street and 1305, 1295, and 1291 Summerville Avenue as shown on Document 1.

BACKGROUND

The site consists of six parcels of land at the northwest corner of Silver Street and Summerville Avenue that were consolidated under single ownership. Each of the three lots on Silver Street contains a single detached dwelling and the lots on Summerville Avenue are part of an existing planned unit development (PUD). The PUD consists of a three-storey apartment at 1305 Summerville Avenue constructed in 1956; a three-storey apartment at 1295 Summerville Avenue constructed in 2021; and a four-storey apartment at 1291 Summerville Avenue constructed in 2024 that share surface parking.

In March 2023, the City approved a site plan control application (File No. D07-12-21-0112) for a three-storey apartment building with 32 units and underground parking at 1058, 1062, 1066 Silver Street. Following the approval, the applicant consolidated the six lots. The applicant also revised the proposed development by removing the underground parking and adding 14 dwelling units for a total of 46 units. The applicant submitted a revised site plan control application (D07-12-24-0037) capturing these changes, which staff are reviewing concurrently with the subject Minor Zoning By-law Amendment. As summarized in the table below, the PUD will consist of 96 units across four low-rise apartment buildings with 35 surface parking spaces.

| Address | Description | Number of Units |
|--------------------------------|--|-----------------|
| 1058, 1062, 1066 Silver Street | Proposed 4-storey apartment | 46 |
| 1291 Summerville Avenue | Existing 4-storey apartment built in 2024 | 16 |
| 1295 Summerville Avenue | Existing 3-storey apartment built in 2021 | 18 |
| 1305 Summerville Avenue | Existing 3-storey apartment built in 1956. | 16 |

SYNOPSIS OF APPLICATION

The subject Minor Zoning By-law Amendment is technical in nature and required due to the land consolidation, which changed the front and rear property lines and applicable performance standards. If approved, the application will legalise existing site conditions and facilitate the development of the new four-storey apartment building at 1058, 1062, and 1066 Silver Street.

As proposed, the amendment will permit:

- one lot for zoning purposes;
- an exemption from the maximum lot area provisions;
- a reduced driveway width of 3.12 metres, whereas 6 metres is required;
- a reduced building setback of 0 metres to an existing private way, whereas a 1.8 metre setback is required;
- an increase maximum walkway width of 2 metres, whereas a maximum width of 1.8 metres is permitted;
- a reduced interior side yard setback of 1.4 metres, whereas 1.5 metres is required;
- an exemption from providing an interior yard area; and
- 32% of the existing rear yard area provided as soft landscaping, whereas 50% of the rear yard is required to be softly landscaped.

Residential Units and Types

| Dwelling Type | Number of Units |
|---------------|-----------------|
| Apartment | 46 |

DECISION AND RATIONALE

This application is approved for the following reasons:

- The proposal is consistent with the Provincial Planning Statement and specifically the policies relating to intensification and the efficient use of urban land and infrastructure.
- The proposal conforms with the policies of the Official Plan as it will facilitate the development of a low-rise apartment building – a built form permitted within the Neighbourhood designation in the Urban Transect. The requested relief is appropriate and conforms with the Official Plan and the intent of the Zoning By-law as outlined below:
 - The proposal to add “one lot for zoning purposes” is appropriate as the six lots are under contiguous ownership and share parking. Section 6.3.2(6) of the Official Plan provides direction that parcels may be treated as one lot for zoning purposes where it does not impede functional standards.

- The proposed exemption to the maximum lot area provision is a technical amendment as the three lots fronting on Silver Street will be added to the existing PUD thus resulting in a total lot area of 5349.4 square metres. As outlined in Section 162, the Zoning By-law intends to exempt PUDs from maximum lot width and area provisions.
- The Zoning By-law requires a 6 metre-wide private way in a PUD. As proposed, the reduced 3.12 metre-wide private way is appropriate as it supports the reuse of an existing private approach. This conforms with the Official Plan policies for the Inner Urban Transect that speak to reusing existing private approaches and reducing the width of private approaches. It is also important to note that while the Zoning By-law requires a 6 metre-wide private way in a PUD, the by-law otherwise permits a minimum width of 3.0 metres for a single traffic lane.
- The proposed 0 metre building setback between 1291 Summerville Ave (existing four storey apartment building) and the existing private way will legalize an existing condition.
- The proposed increase in maximum walkway width from 1.8 to 2 metres is minor and consistent with the width of the existing walkways that lead to the existing apartments on Summerville Avenue.
- The Zoning By-law requires a minimum interior side yard setback of 1.5 metres. As proposed, the 1.4 metre interior side yard setback is minor as it does not create undue or adverse impacts and still provides functional access. This reduction also aligns with the urban built form characteristics contemplated for developments in the Inner Urban Transect.
- The proposed exemption from providing an interior yard area is a technical amendment. Due to the configuration of the site and the location of the existing buildings, it is not feasible to provide an interior yard area as required for a corner lot. Shared amenity and landscaped areas are located within the interior of the PUD and the apartment buildings include balconies and terraces. The Official Plan provides direction that amenity areas for low-rise apartment buildings may be limited to balconies, terraces and/or rooftops to achieve growth management targets.
- As proposed, 32% of the rear yard is softly landscaped, whereas the Zoning By-law requires that 50% of the rear yard be landscaped. This is a technical amendment and the result of adding the three parcels on Silver Street to the existing PUD. The rear lot line is now the western lot line along 1313 Summerville Avenue and the rear yard area is occupied by an existing 6 metre-wide driveway. A 1.5 metre landscape buffer is provided between the driveway and rear lot line and two additional landscaped areas are located within the PUD.

- The proposed development is desirable and has regard for relevant Urban Design Guidelines for Low-rise Infill Housing Guidelines. In particular, the proposed low-rise apartment building frames both street edges along Silver Street and Summerville Avenue; the built form is contextually appropriate with the existing and planned context; and parking is located away from the public realm and arranged in common areas.

RELATED APPLICATIONS

1058, 1062, and 1066 Silver Street

- Zoning By-law Amendment – D02-02-21-0073

A site specific Zoning By-law Amendment to rezone 1058, 1062, and 1066 Silver Street and introduce a new urban exception for various performance standards. The amendment was associated with Site Plan Control application D07-12-21-0112 (see below) to facilitate the development of a three-storey apartment building. City Council approved the application on August 31, 2022, which introduced Urban Exception 2812.

- Site Plan Control – D07-12-21-0112

A site plan control application for a three-storey apartment building with 32 units and underground parking at 1058, 1062, and 1066 Silver Street. The application was approved by Staff Delegated Authority on March 27, 2023. The associated site plan agreement was not registered due to changes to the proposal. The new Site Plan Control application (File No. D07-12-24-0037) described below replaces this application.

- Concurrent Site Plan Control – D07-12-24-0037

A site plan control application associated with the subject Zoning By-law Amendment application (D02-02-24-0041) to facilitate the development of a four-storey apartment building with 46 units at 1058, 1062, and 1066 Silver Street. This application replaces the previous Site Plan Control application (D07-12-21-0112) approved in March 2023. The application is on hold until the subject Zoning By-law Amendment is approved.

1291 Summerville Avenue

- Site Plan Control – D07-12-22-0126

A site plan control application to facilitate the development of a 4-storey, 16 unit apartment building at 1291 Summerville Avenue. The application was approved on June 24, 2022.

1295 & 1305 Summerville Avenue

- Site Plan Control – D07-12-19-0048

A site plan control application to facilitate the development of a three-storey, 18 unit apartment building at 1295 Summerville Avenue with five surface parking spaces. The application was approved on February 13, 2020.

CONSULTATION DETAILS

Councillor Riley Brockington provides concurrence for delegated authority for this report.

Public Comments

This application was subject to the [Public Notification and Consultation Policy requirements](#) for minor re-zoning amendment applications. Staff received comments from six residents.

Summary of Public Comments and Staff Responses

Supportive Comments:

Comments indicated that the first developments on Summerville Avenue (1295 Summerville Avenue and 1291 Summerville Avenue) enhanced the appeal of the neighbourhood, and that the developer successfully managed the construction to minimize impacts on the surrounding neighbours. The proposed four-storey apartment building will provide critical “missing middle” housing units and continue to make Carlington a desirable place to live.

Response:

Staff acknowledge comments in support of the application.

Bird Collisions:

Concerns were raised regarding the amount of transparent glazing in proximity to trees and the potential for bird collisions.

Response:

While adherence to the City’s Bird-Safe Design Guidelines is not required for low-rise residential developments (i.e., 4 storeys and under), through the site plan control application, staff are encouraging the applicant to implement measures from the guidelines, such as replacing the glass paneling on the balconies with metal railings.

Parking and Accesses:

One resident asked about the number and location of vehicular accesses.

Comments acknowledged that the proposed parking exceeds the amount of required parking and noted that there is potential for increased on-street parking. One resident suggested limiting on-street parking on one side of Summerville Avenue between Prince and Silver Street.

Response:

Vehicular access to the site is provided by two existing private approaches along Summerville Avenue. One access is located to the west of 1305 Summerville Avenue and the second is located between 1291 Summerville Avenue and the proposed 4-storey apartment building.

Surface parking will be shared between the four low-rise apartment buildings. As proposed, 35 parking spaces are provided, whereas the Zoning By-law requires 24 parking spaces. As a condition of site plan control approval, the City will require a warning clause in all purchase and sale and lease agreements that will advise residents that not all units are provided with an on-site parking space.

Changes to on-street parking regulations can occur either through a safety issue as confirmed by Traffic Services or through a community request. Traffic Services staff will undertake a review of collision records and conduct a site visit and if there are identifiable safety issues, can prohibit parking through delegated authority. Alternatively, if Traffic Services determines that there are no identifiable safety issues, but the changes can be supported, residents can make a “community request” through a petition process.

Tree Removals and Replacement Planting:

Concerns were raised regarding the removal of existing trees, adequate replacement planting, and permissions to remove boundary trees that are jointly owned between property owners.

Response:

Twelve (12) trees are proposed for removal. Through the site plan control application, staff will require additional replacement planting, including along Silver Street and other available space within the planned unit development. The City will also require monetary compensation for the removal of the City-owned trees before issuing the tree removal permits.

The City Foresters will require consent from the adjacent property owners before issuing tree removal permits for the trees located fully or partially on adjacent properties.

Existing Sidewalk on Summerville Avenue:

One resident raised concerns with the condition of the existing sidewalk on Summerville Avenue and asked if there was an opportunity to update the sidewalk as part of the development.

Response:

While city infrastructure may be upgraded through redevelopment projects, emphasis was placed on the retention of the existing mature trees on Summerville Avenue. There are currently five mature trees between the existing sidewalk and Summerville Avenue and a new sidewalk would necessitate their removal. Additionally, Forestry staff confirmed that the existing boulevard could not support replacement tree planting.

A new sidewalk will be constructed on the Silver Street frontage, which will provide appropriate soil volume for new trees between the sidewalk and development.

Grading Impacts on Adjacent Properties:

One resident expressed concerns about potential damage to their property due to the proposed grading and through construction.

Response:

The City's Infrastructure Approvals Project Managers review the proposed grading and servicing plans through the site plan control application. As proposed, the existing grades along the property lines are not being altered. The excavation for the new building foundation is approximately 2.3 metres deep and 1.4 metres from the property line, which is typical for residential construction.

The developer is responsible for constructing the development in accordance with the approved plans and standard construction practices.

Affordable Housing:

One resident asked if the proposed development included affordable housing units and how the City defines "affordable housing."

Response:

The proposed development does not include affordable housing units.

The definition of “affordable housing” depends on the applicable programs and/or incentives that a developer applies for and includes market-affordable housing and core-affordable housing. The Ontario Provincial Planning Statement, a provincial land use planning policy framework, defines affordable as:

a) in the case of ownership housing, the least expensive of:

1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low- and moderate-income households; or

2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the municipality;

b) in the case of rental housing, the least expensive of:

1. a unit for which the rent does not exceed 30 percent of gross annual household income for low- and moderate-income households; or

2. a unit for which the rent is at or below the average market rent of a unit in the municipality.



APPLICATION PROCESS TIMELINE STATUS

This Minor Zoning By-law Amendment application was processed by the On Time Decision Date established for the processing of an application that has Manager Delegated Authority.

Contact: Siobhan Kelly Tel: 613-580-2424, ext. 27337 or e-mail: siobhan.kelly@ottawa.ca

Document 1



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|---|-----------|--|--|
|  | | LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE | |
| D02--24-0041 | 25-0277-D | 1305, 1295, 1291 av. Summerville Ave | |
| I:\CO\2025\ZKP\Silver_1058_Summerville_1305 | | <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 40px; height: 20px; margin-right: 10px;"></div> <div> Area A to be rezoned from R4UC to R4UC [2812] Le zonage du secteur A sera modifié de R4UC à R4UC [2812] Area B to remain R4UC[2812] Le zonage de secteur B restera R4UC[2812] </div> </div> | |
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