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

Location of Minor Re-zoning: 71 Russell Avenue

File No.: D02-02-26-0012

Date of Application: February 19, 2026

This MINOR ZONING BY-LAW AMENDMENT application, for the land zoned R4UD[480] (Residential Fourth Density, Subzone UD, Urban Exception 480), in Zoning By-law 2008-250, and zoned N4B[480] (Neighbourhood Zone 4, Subzone B, Exception 480), in Zoning By-Law 2026-50, as shown on the attached Zoning Key Map, and submitted by Christine McCuaig and Dayna Edwards, Q9 Planning + Design, on behalf of Jersey Development Inc., is to permit a four-storey, 28 dwelling unit, apartment building as detailed in the attached Supporting Documentation.

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

This MINOR ZONING BY-LAW AMENDMENT IS RECOMMENDED TO BE APPROVED and the following action is required:

1. That the Zoning Map of Zoning By-law 2008-250 be amended to amend the zoning over 71 Russell Avenue so that it reads **R4UD[XXXX];** and

2. That an exception be added to Zoning By-law No. 2008-250 for this property with provisions similar in effect to the following:

   a) Rezone the lands as shown in Document 1.

   b) Add a new exception XXXX to Section 239 – Urban Exceptions with provisions similar in effect to the following:

      i. In Column I, Exception Number, add the text: “[XXXX]”

      ii. In Column II, Applicable Zones add the text: “R4UD[XXXX]”

      iii. In Column V, Provisions, add the text:

         - Minimum front yard setback: 2.6m
         - Minimum rear yard setback: 7.5m

- Despite Clause 144(3)(a), the minimum required rear yard area is 150m^2.
- Despite Clause 161(15)(h), a minimum of 40 per cent of the area of the front façade must be recessed an additional 0.55 metres.
- No vehicle parking is required.
- No visitor parking is required.
- Minimum required bicycle parking rate: 1 space per dwelling unit.
- Despite Section 65, Table 65(5)(b)(ii): open stairways and associated landings are permitted to project up to 0.3m to the southern lot line.

3. That the Zoning Map of Zoning By-law 2026-50 be amended to amend the zoning over 71 Russell Avenue so that it reads **N4B[XXXX];** and

4. That an exception be added to Zoning By-law No. 2026-50 for this property with provisions similar in effect to the following:

   a) Rezone the lands as shown on Document 2.

   b) Add a new exception XXXX of Part 15 – Exceptions of Zoning By-Law 2026-50 with provisions similar in effect to the following:

      i. In Column I, Exception Number, add the text: “[XXXX]”

      ii. In Column II, Applicable Zones add the text: “N4B[XXXX]”

      iii. In Column V, Provisions, add the text:

- Minimum front yard setback: 2.6m
- Minimum rear yard setback: 7.5m
- Despite Subsection 204(12), stairways and their associated landings are permitted to be setback a minimum of 0.3 metres from the southern property line.
- Despite Table 613B, no short-term bicycle parking are required.
- Despite Subsection 613(23), no inclusive bicycle parking spaces are required.
- Minimum long-term bicycle parking rate: 1 per dwelling unit.

- Despite Clause 802(7)(a), a functional path of travel is not required to a rear yard.
- Despite Clause 802(7)(b), a functional path of travel is not required to a required garbage, recyclables or organic storage area.
- Despite Table 802(b), there is no minimum aggregated soft landscaping requirement. However, any part of the front yard must be soft landscaped, except for those parts occupied by walkways and projections.
- Subsection 802(11) does not apply.
- Despite Section 208, the minimum required total amenity area is 150 square metres.

November 5, 2026

Date

Andrew McCreight,
Manager, Development Review Central
Planning, Development and Building Services Department

Enclosures: Minor Re-zoning By-law Amendment Supporting Information
Document 1 - Location Map

MINOR ZONING BY-LAW AMENDMENT APPLICATION
SUPPORTING INFORMATION

File Number: D02-02-26-0012

SITE LOCATION

71 Russell Avenue, and as shown on Document 1.

SYNOPSIS OF APPLICATION

The subject property is located mid-block on the east side of Russell Avenue, between Osgoode Street and Somerset Street East, within the Sandy Hill neighbourhood. The surrounding context is predominantly characterized by a low-rise residential neighbourhood, with some including significant heritage features. The property is approximately 600 metres from the uOttawa Transit Station.

The subject site has a total frontage of 20.12 metres along Russell Avenue, a lot depth of 37.6 metres, and a lot area of approximately 755 square metres. There is a significant eight-metre grade change across the site, with the northwest corner at the front of the site being the highest point (67.61 elevation), and the southeast corner at the rear of the site being the lowest point (59.09 elevation). The site was previously occupied by a three-storey, single-detached dwelling, which was demolished in 2021. The property is currently vacant.

A Site Plan Control (SPC) application (D07-12-26-0014) has been submitted in conjunction with the Zoning By-Law Amendment application to permit the construction of a four-storey, 28-dwelling unit, low-rise residential apartment building. Due to the site grading, the building appears as four storeys facing Russell Avenue and as six storeys at the rear of the subject site. The proposed building is considered to be low-rise (four storeys) based on how existing average grade is calculated and how a storey/basement is defined under both Zoning By-Laws (2008-250 and 2026-50). The current concept proposes zero vehicular and visitor parking spaces. Instead, the proposal offers 32 long-term bicycle parking spaces, located within a storage room in the sub-basement level. In addition, the proposal contemplates the inclusion of a waste storage area in the basement space.

Since the initial submission, the design of the proposed development has been changed to appropriately address the retention of private trees located on private property, directly north of the subject lands, at 69 Russell Avenue. More specifically, the proposal was revised to incorporate a jog in the proposed retaining wall to ensure that sufficient space was afforded for the preservation and retention of an American Elm through future construction.

A previous SPC application was submitted in 2018 and approved in 2019 under City File D07-12-18-0140, where the applicant proposed a four-storey, 16 dwelling unit, low-rise residential apartment building. The proposal previously contemplated the inclusion of two vehicular parking spots, located in tandem configuration in the southern side yard, and a total of 22 bicycle parking spaces located in the basement and northern side yard. Although a Site Plan Agreement was registered, construction never took place.

Residential Units and Types

Dwelling Type	Number of Units
Apartment	28

DECISION AND RATIONALE

This application is approved for the following reasons:

- The development is consistent with the Provincial Planning Statement (2024) by contributing to the intensification and redevelopment of the vacant subject lands located within the urban area, providing for a variety of housing options, offering active transportation infrastructure (in the form of an excess of long-term bicycle parking spaces), while being in close proximity to multimodal transportation infrastructure.

- The development is consistent with the policies and intent of the Strategic Directions outlined within the Official Plan. The proposed development complies with Policy 2.2.1 1) by incorporating residential growth within the built-up urban area, supporting an evolution towards 15-minute neighbourhoods, allowing for daily and weekly needs to be accessed within a short walk. The proposal implements the policies contained in Section 2.2.3. 1) and 3) by incorporating higher-density development in an area that is close to transit and within walking distance of a wide range of services, while integrating sustainable transportation infrastructure. To reduce the reliance on personal automobile dependence, the proposal seeks to incorporate 32 long-term bicycle parking spaces while omitting the inclusion of vehicular parking spaces. The proposal also seeks to implement the policies contained in Section 2.2.3 7) by proposing to protect adjacent trees directly north of the subject lands, as well as incorporate new plantings along the rear lot line.

- The development is consistent with the Growth Management policies contained within Section 3 of the Official Plan. The proposal exceeds the density targets set out in Table 3b for Minimum Residential Density Targets Outside of an MTSA with approximately 371 dwelling units per net hectare thus helping achieve the intent of the intensification policies of Section 3.2, which directs intensification to occur within the City’s urban areas.

- The development is consistent with the policies and intent of the Citywide Policies contained within Section 4 of the Official Plan. The proposal implements Section 4.1.2 9)a) by providing long-term bicycle parking spaces in a secure, sheltered and usable by all types of cyclists in the sub-basement level of the new building. As noted above, the proposal contemplates the inclusion of 32 long-term bicycle parking spaces for 28 dwelling units, resulting in an excess of required long-term bicycle spaces.

- The development is consistent with the policies and intent of the Downtown Core Transect policies contained in Section 5 of the Official Plan. The proposed four-storey low-rise apartment building aligns with the general characteristics for urban built form and site design as outlined in Table 8 of Section 5 in the Official Plan. The proposed building has been designed to offer a principal entrance at grade, along the Russell Avenue frontage, while incorporating a shallow front yard setback and formal landscaping to enhance the connection between the proposed building and public realm. The proposal complies with Table 9 (Minimum and Maximum Height Overview Based on Official Plan Policy) and Section 5.1.3 2)a), by providing a building that is a minimum of two-storeys and maximum of four-storeys in height. The proposal also seeks to align with the policy direction identified in Section 5.1.2 3)a) of the Official Plan by omitting vehicular parking and opting for an increase in long-term bicycle parking spaces.

- The development is consistent with the Neighbourhood Designation policies in Section 6 of the Official Plan. The proposed development implements policies 6.3.1 2) and 5) by providing low-rise residential development which increases density in close proximity to the Corridors and other neighbourhood amenities. The development has been carefully designed to ensure that the overall height does not exceed the threshold associated with low-rise (remaining under four-storeys) to ensure that the massing impacts of the building are appropriately mitigated along the street frontage and interior side yards. The development implements Section 6.3.2 2) by establishing a pattern of built form with zoning standards which contribute to a well-designed interior lot along the Russell Avenue frontage.

- The development is consistent with the policies and intent of the Central and East Downtown Core Secondary Plan. The proposal is consistent with Section 4.7.8 129) and Schedule C by providing for a four-storey low-rise residential apartment building. The proposed building seeks to comply with Sections 4.7.3 99) and 4.7.6 122) by enhancing a stock of good housing and incorporating external on-site amenity area via the proposed 150 square metre rear yard landscaped area. The subject lands are located in the Sandy Hill area as shown on Schedule A - Character Areas and designated Local Neighbourhood in Schedule B. The proposed development implements Section 4.7.6 121) by providing for a building which provides for minimum intrusion on the sunlight, air,

and aspect of enjoyed by existing adjacent development based on the proposed siting of the new four-storey building.

- The requested relief to alter the performance standard for minimum front yard setback under both Zoning By-Laws continues to maintain the intent of the By-Laws to establish an appropriate relationship between buildings and the public realm along the municipal right-of-way, continuity of the streetscape, and provide sufficient space for landscaping and functional elements of development (e.g., pedestrian access). The proposed front yard setback is approximately 0.39 metres less than the average of the adjacent properties under By-Law 2008-250 and 0.38 metres less than the requirement identified under By-Law 2026-50. To establish an appropriate building envelope in both the front and rear yards, the building has been designed to be located closer to the street at ground level. The proposed front yard setback of 2.6 metres continues to respect the sites grading constraints while maintaining a defined front yard area. This proposed setback enables sufficient space for pedestrian-oriented access, as well as accessible pedestrian access, along the frontage for future residents and visitors of the site.

- The requested relief to alter the performance standard for minimum rear yard setback under Zoning By-Law 2008-250 continues to maintain its intent by providing adequate space for a communal amenity area, soft landscaping and tree planting, and appropriate separation between the proposed building and shared lot lines. Although a reduced setback is required under By-Law 2008-250, the proposed setback of 7.5 metres remains consistent with the minimum rear yard setback incorporated under By-Law 2026-50.

- The requested relief to alter the performance standard for minimum rear yard area under Zoning By-Law 2008-250 maintains the intent of the by-law by incorporating high-quality landscape design that prioritizes soft landscaping and tree planting opportunities in the rear yard. The proposal contemplates that 100% of the rear yard area will be soft landscaped, exceeding the minimum requirements and ensuring sufficient space for adequate soil volumes are captured for future tree plantings along the rear lot line.

- The requested relief to alter the performance standard for minimum percentage of area of the front façade to be recessed under By-Law 2008-250 will continue to maintain the intent of the zoning by-law to ensure building articulation, visual interest, and a pedestrian-scaled streetscape along public rights-of-way. The proposal has been designed to ensure that a respectful building face will continue to address Russell Avenue through the proposed placement of entrances and continued implementation of fenestration along building’s front façade.

- The requested relief to alter the performance standard for minimum number of vehicle and visitor parking spaces under Zoning By-Law 2008-250 maintains the intent of the by-law, given the subject site’s downtown location, proximity to

frequent public transit, and active transportation infrastructure. The proposal to reduce the minimum parking requirements under Zoning By-Law 2008-250 aligns with the direction for properties located in the Downtown Core and recently adopted Zoning By-Law 2026-50, which removes minimum vehicular parking requirements in recognition of climate objectives, changing travel behaviour, and need to support transit-oriented development within the Downtown area.

- The requested relief to alter the performance standard for minimum setback of stairways and their associated landings to the southern property line under both Zoning By-Laws maintains the intent of the By-Laws to ensure that there is sufficient separation from adjacent properties, reduce concerns relating to possible overlook, and enable sufficient space for functional movement (e.g., ingress and egress). The proposed development complies with the minimum interior setback requirements of both By-Laws, however, requires relief to enable the inclusion of egress stairs from an Ontario Building Code perspective. Given the purpose of these stairs is to ensure an alternative egress path from the rear yard to Russell Avenue, with no private or communal amenity area located within this space, the proposed reduction to a 0.3 metre setback for stairs and their associated lands to the southern lot line is determined to be appropriate in the context of this application.

- Considering when the proposed application was deemed complete (February 19, 2026), and the timing of when the new Zoning By-Law 2026-50 was brought forward and adopted by Council (March 11, 2026), the proposal benefits from the Transition of Complete Applications clauses under Section 109 of By-Law 2026-50. As a result, to ensure compliance with both By-Laws, the proposal seeks to also obtain relief from several provisions required under Zoning By-Law 2026-50. These provisions are noted below for ease of reference:

    - Amenity Area – Despite Section 208, the minimum required total amenity area is 150 square metres.
    - Short-Term Bicycle Parking - Despite Table 613B, no short-term bicycle parking are required.
    - Inclusive Bicycle Parking Spaces - Despite Subsection 613(23), no inclusive bicycle parking spaces are required.
    - Functional Path of Travel - Despite Clause 802(7)(a), a functional path of travel is not required to a rear yard.
    - Functional Path of Travel - Despite Clause 802(7)(b), a functional path of travel is not required to a required garbage, recyclables or organic storage area.
    - Minimum Aggregate of Soft Landscaping - Despite Table 802(b), there is no minimum aggregated soft landscaping requirement. However, any part of the front yard must be soft landscaped, except for those parts occupied by walkways and projections.
    - Walkway Traversing Area of Soft Landscaping - Subsection 802(11) does not apply.

Given the transition clauses under Section 109(6) of By-Law 2026-50, Staff are supportive of these provisions being incorporated into the Exception details for the proposed ZBLA.

RELATED APPLICATIONS

- Site Plan Control – D07-12-26-0014

CONSULTATION DETAILS

Councillor Stéphanie Plante provides concurrence for delegated authority for this report.

and

Councillor Stéphanie Plante advised the following:

Although the additional bicycle parking is appreciated, the proposal should give consideration for at least once drop off parking space for Uber and Amazon like delivery services.

Response to Councillor Comments

As Staff continue to progress through the associated Site Plan Control application, Staff will look to work with Hydro Ottawa and the applicant team to explore if there is a possibility to use the proposed hydro lane for drop off and pick up.

Public Comments

Summary of Comments - Public

This application was subject to the Public Notification and Consultation Policy requirements for Minor Zoning By-law Amendment applications. Comments were received by 11 residents and concerns raised included the protection of trees on adjacent private property, building height and massing, lack of vehicular parking, traffic congestion, significant excavation and retaining wall conditions, construction and noise impacts, and intensification and impacts to local infrastructure. Staff received one comment in support of the proposed development.

Response to Public Comments

Protection of Trees on Adjacent Private Property

The proposed development is in close proximity to three private trees, located off-site, on the property to the north at 69 Russell Avenue. As a result of the proposed building's proximity, impacts to Trees 10, 11 and 27 were reviewed in detail as part of the technical review period associated with the two applications. The Tree Conservation

Report (TCR) incorporates detailed recommendations and ensures tree protection will be maintained through all on-site works. The proposed retaining wall has been notched, to further buffer Tree 10, and development is required to protect these trees in accordance with the recommendations of the TCR and the City's Tree Protection Specifications. Tree protection fencing will be required to be installed and maintained throughout the entire duration of servicing and construction work on site.

Building Height and Massing

Given the significant change in grade associated with the subject lands, careful attention was placed to ensure that the existing average grade was appropriately calculated in accordance with Section 139(5) of By-Law 2008-250 and the definitions under Section 199 of By-Law 2026-50 resulting in a low-rise built form. The proposed building has been designed to ensure that the proposal remains under the maximum height thresholds of four-storeys as established in the Central and East Downtown Core Secondary Plan and the maximum building height of 14.5 metres as identified both Zoning By-Laws.

Lack of Vehicular Parking

The proposed development seeks to incorporate the direction brought forward in the Downtown Core Transect of the Official Plan and recently adopted Zoning By-Law 2026-50 as it relates to vehicular parking. Zoning By-law 2008-250 requires a minimum of 10 parking spaces (8 residential parking spaces and 2 visitor parking spaces) and the new Zoning By-law 2026-50 does not prescribe minimum parking requirements. Alternatively, Zoning By-law 2026-50 establishes a maximum parking rate of 1.25 spaces per dwelling near existing and future rapid transit stations, whereas the proposal does not contemplate the inclusion of any vehicular parking spaces. The applicant seeks to alternatively supply an excess of long-term bicycle parking spaces to appropriately off-set the exclusion of vehicle spaces.

Traffic Congestion

The proposal does not contemplate the inclusion of any vehicular parking spaces as part of the proposed development. As a result, no Transportation Impact Assessment was required as it is not anticipated that vehicular trips will be generated as part of the applications.

Significant Excavation, Retaining Wall Conditions, Construction and Noise Impacts

To construct the development, the applicant will need to obtain applicable Building Permits, which are subject to applicable traffic management and construction requirements established by the City and Province. In addition, retaining wall and shoring details (permanent and/or temporary) would need to be submitted and approved, prior to any excavation. These will be reviewed at the time of Building Permit by the Building Code Services (BCS) department. The development will also be subject to the City's Noise By-law 2017-255, including construction-related activities.

Intensification and Impacts to Local Infrastructure

The Serviceability Report evaluated the capacity of existing municipal services to accommodate the proposed development. The report concluded that the existing water, stormwater, and sanitary services available in Russell Avenue right-of-way can support the full build out of the development.

Technical Agency/Public Body Comments

Summary of Comments –Technical

All technical agency correspondence was forwarded to the applicant, and the applicant was advised to contact technical agencies directly for additional information and requirements.

Advisory Committee Comments

Summary of Comments – Advisory Committees

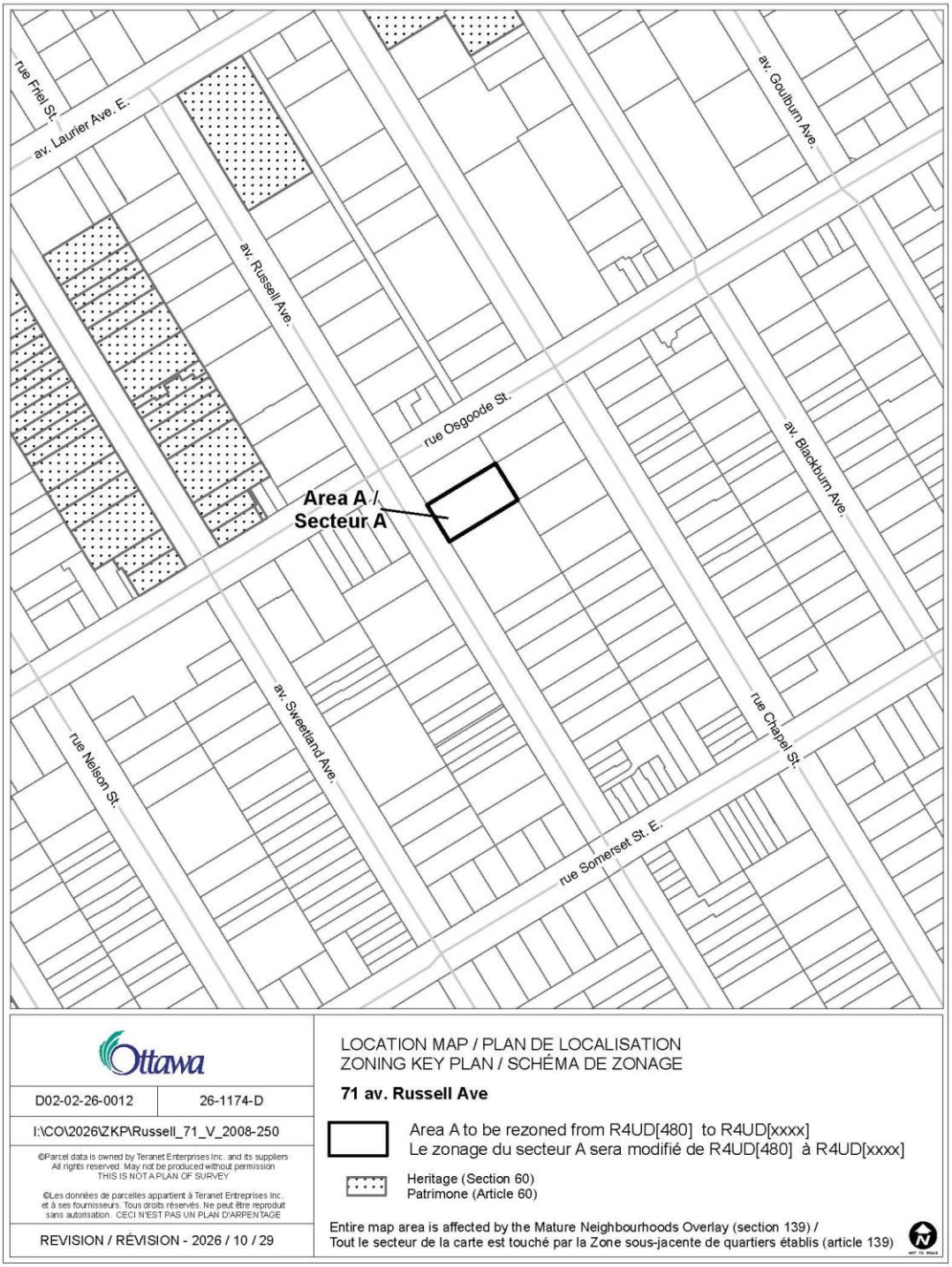
N/A

APPLICATION PROCESS TIMELINE STATUS

This Minor Zoning By-law amendment application was not processed by the On Time Decision Date established for the processing of an application that has Manager Delegated Authority due to the complexity of issues associated with the significant grading change on the subject lands and retention of trees on private property north of the subject lands.

Contact: Niki Van Vugt Tel: 613-580-2424, ext. 12474 or e-mail: niki.vanvugt@ottawa.ca

Document 1 - Zoning Map (2008-250)



Document 1 - Zoning Map (2026-50)



Ottawa

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REVISION / RÉVISION - 2026 / 10 / 29

LOCATION MAP / PLAN DE LOCALISATION
ZONING KEY PLAN / SCHÉMA DE ZONAGE

71 av. Russell Ave

Area A to be rezoned from N4B[480] to N4B[xxxx]
Le zonage du secteur A sera modifié de N4B[480] à N4B[xxxx]