

# Planning Rationale Report

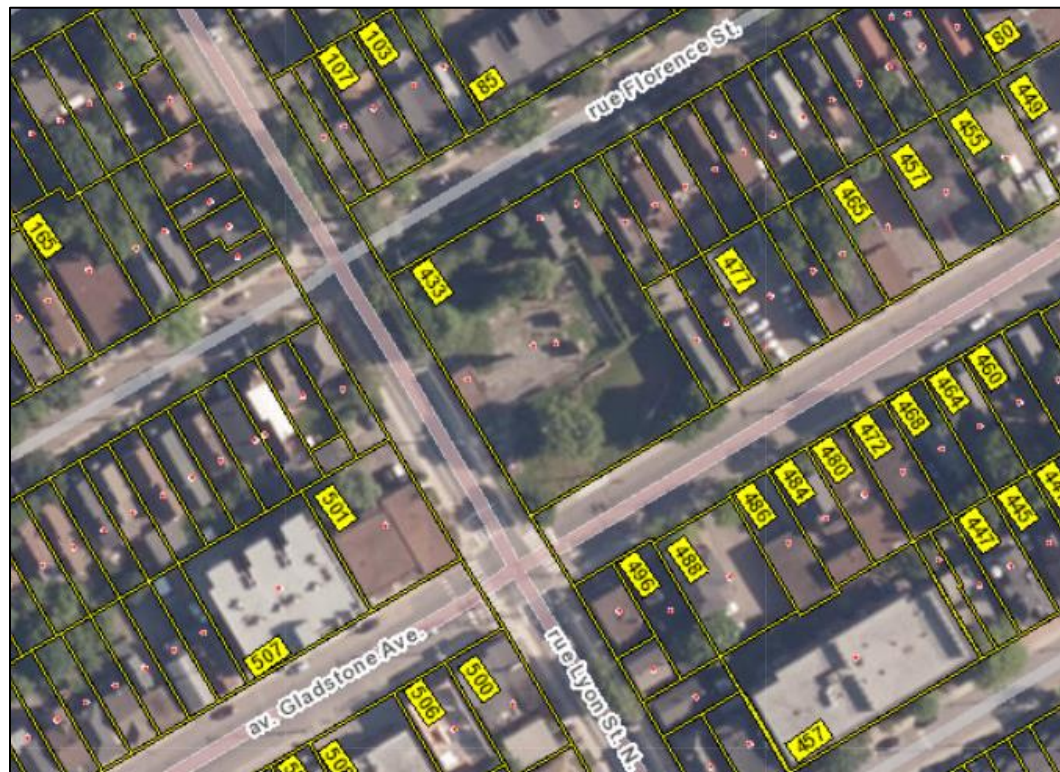
Applications for Zoning By-law Amendment and to Lift Part Lot Control –  
433 Lyon Street North

Prepared for:  
Hydro Ottawa Limited

November 27, 2024

Prepared by:  
Stantec Consulting Ltd.

Project/File:  
160402059



# Planning Rationale Report

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## Planning Rationale Report

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## **Executive Summary**

This planning rationale has been prepared in support of proposed applications for a Zoning By-law Amendment ('ZBLA') and Lifting Part Lot Control ('PLC'). The subject site is described municipally as 433 Lyon Street North, a regular-shaped parcel within the City of Ottawa's Centretown neighbourhood. The site is owned by Hydro Ottawa Limited ('HOL') and consists of five distinct areas, including:

- a municipal transformer station ('MTS') fronting Lyon Street North;
- a detached residential dwelling at 118 Florence Street;
- a detached residential dwelling at 120 Florence Street;
- a vacant parcel at the southeast corner of Lyon Street North and Florence Street;
- a vacant parcel at the northeast corner of Lyon Street North and Gladstone Avenue.

The proposed applications do not include or contemplate any physical development or alteration of the site. The purpose of the PLC application is to subdivide the site into five new lots reflective of the site's existing land uses and functions. The purpose of the ZBLA application is two-fold:

- to adjust the existing zone boundary between the R4UD and R4UD[478] zones in accordance with the proposed lot division; and,
- to seek zoning relief so that the zoning by-law recognizes the existing conditions of the two detached residential dwellings once they are on their own conveyable lots.

Aside from the two proposed lots for the existing residential dwellings, all other proposed lots will comply fully with zoning. In short, the subject site is one property that has historically functioned as five separate properties, and approval of the proposed applications will serve to realize this through land division and rezoning processes.

The proposal has been discussed with City staff through various pre-consultations, including one that was held on July 31, 2024, where it was confirmed that this planning rationale would be required to support complete ZBLA and PLC applications. This report demonstrates the proposal is timely and appropriate from a land use planning perspective, and that it is consistent with the Provincial Planning Statement 2024 and in conformity and compliance with the general intent and purpose of the City of Ottawa's Official Plan and Zoning By-law. Accordingly, it is our professional opinion that the proposal represents good land use planning that is in the public interest, and we therefore recommend the applications for approval.



# 1 Context Analysis

## 1.1 Surrounding Context

The site is located within the Centretown neighbourhood (Ward 14 – Somerset) and is situated north of Highway 417, east of Bronson Avenue, south of Somerset Street West, and west of Bank Street. More specifically, the site is within a block bound by Gladstone Avenue to the south, Lyon Street North to the west, Florence Street to the north, and Kent Street to the east. Characteristics of the road network surrounding the site are detailed in Table 1.

This area of the city is characterized by low to mid-rise built form, primarily residential use, regular block sizes and grid network of roads, and a mix in parcel sizes (see Figure 1). Much of the buildings within this neighbourhood are of a vintage pre-dating the City’s 1928 aerial images on GeoOttawa.

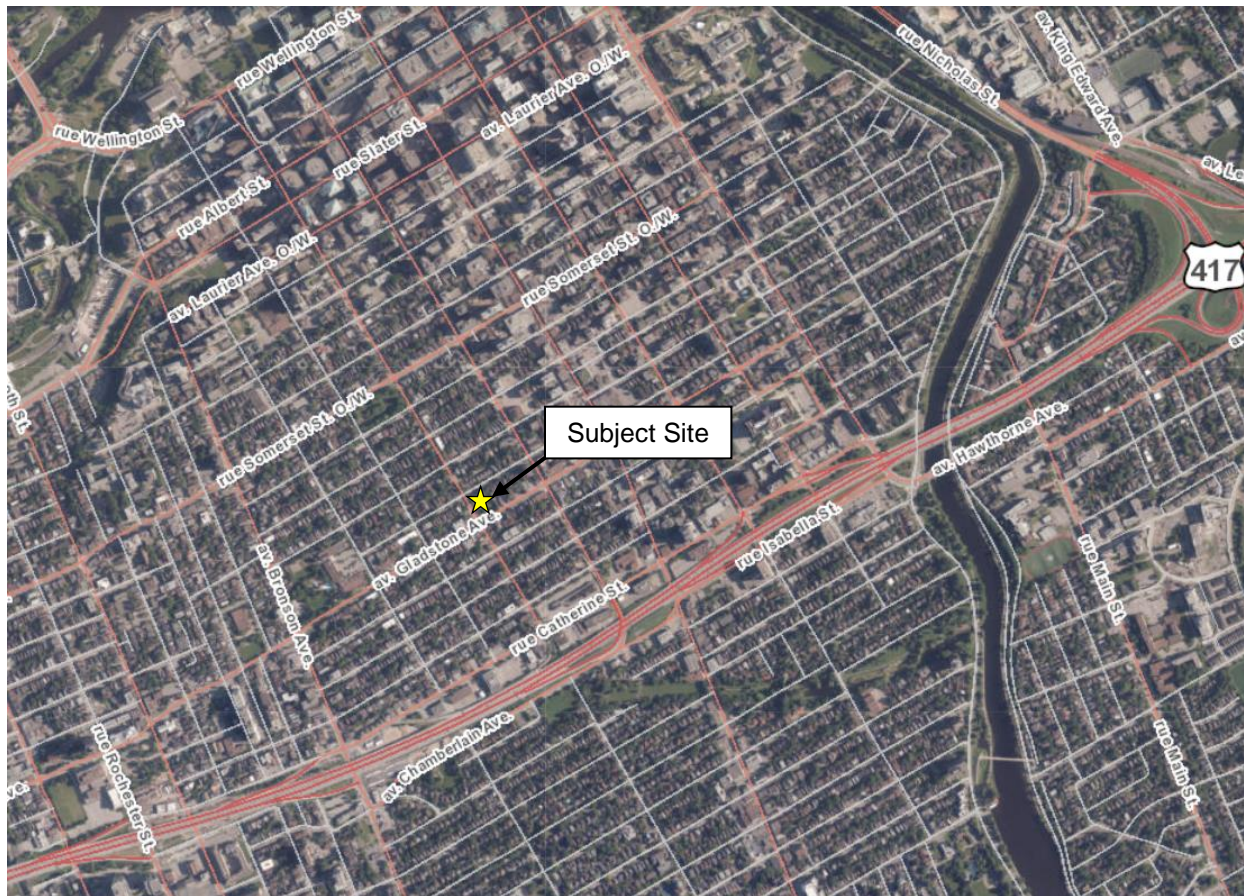


Figure 1. Location plan from 2022 aerial imagery (GeoOttawa, 2024)

*Table 1. Adjacent street characteristics*

	<b>Lyon Street</b>	<b>Gladstone Avenue</b>	<b>Florence Street</b>
<b>Existing ROW Width (approximate)</b>	18.29	18.29m – 19.19m (varies)	18.29m
<b>Protected ROW Width (Official Plan Schedule C16)</b>	20m Note: Maximum land requirement from property abutting existing ROW (0.90m). Subject to widening/easement policy.	26m (not explicitly listed)	18m (not explicitly listed)
<b>Transit Network (Official Plan Schedule C2)</b>	NA	Transit Priority Corridor	NA
<b>Downtown Core Road Network (Official Plan Schedule C5)</b>	Arterial	Major Collector	Local
<b>ROW Features</b>	One-way (southbound), two vehicle lanes, one segregated cycle lane, and sidewalks on both sides	Bi-directional (east-west), one vehicle lane per direction, on-street parking (north side), and sidewalks on both sides	One-way (eastbound), two vehicle lanes, on-street parking (both sides), and sidewalks on both sides

## **1.2 Site Context**

The site is described municipally as 433 Lyon Street North and is legally described as *Lots 19, 20 and 21, South Florence Street and Lots 19, 20 and 21 North Gladstone Avenue, Registered Plan 21612, City of Ottawa*. The site is a rectangle shaped parcel with a land area of 2,945.6 square metres and frontage of 62.11 metres on Lyon Street North, 47.48 metres on Florence Street, and 47.53 metres on Gladstone Avenue, for a combined total frontage of 157.12 metres.

The site consists of five distinct areas (see Figures 2 to 4), which include:

- a municipal transformer station ('MTS') fronting Lyon Street North;
- a detached residential dwelling at 118 Florence Street;
- a detached residential dwelling at 120 Florence Street;
- a vacant parcel at the southeast corner of Lyon Street North and Florence Street;
- a vacant parcel at the northeast corner of Lyon Street North and Gladstone Avenue.

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Figure 2. Site context from 2022 aerial imagery (GeoOttawa, 2024)

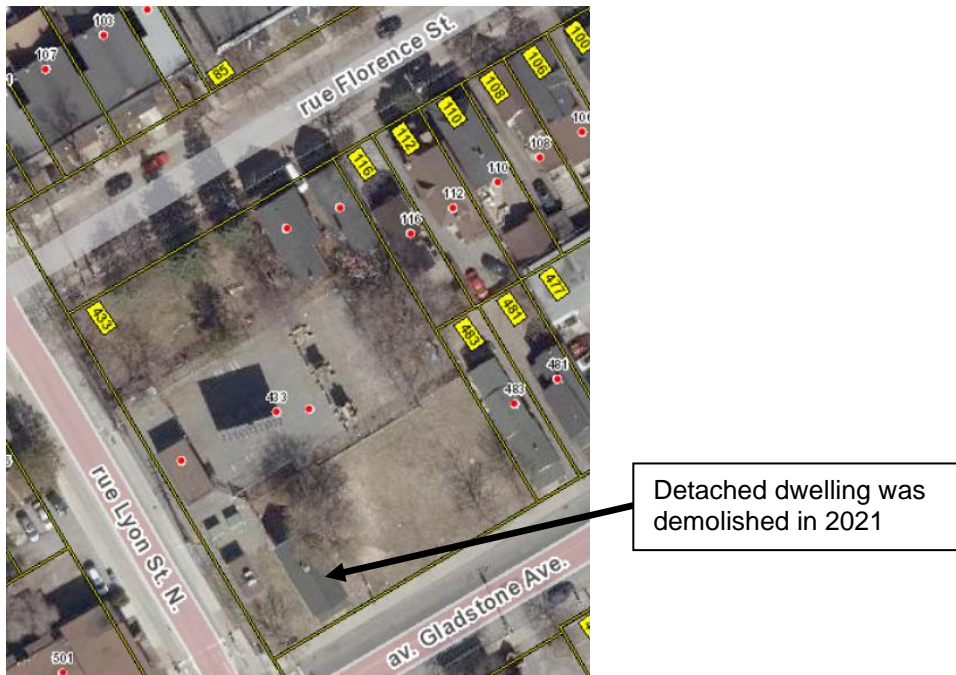


Figure 3. Site context from 2021 leaf-off aerial imagery (GeoOttawa, 2024)



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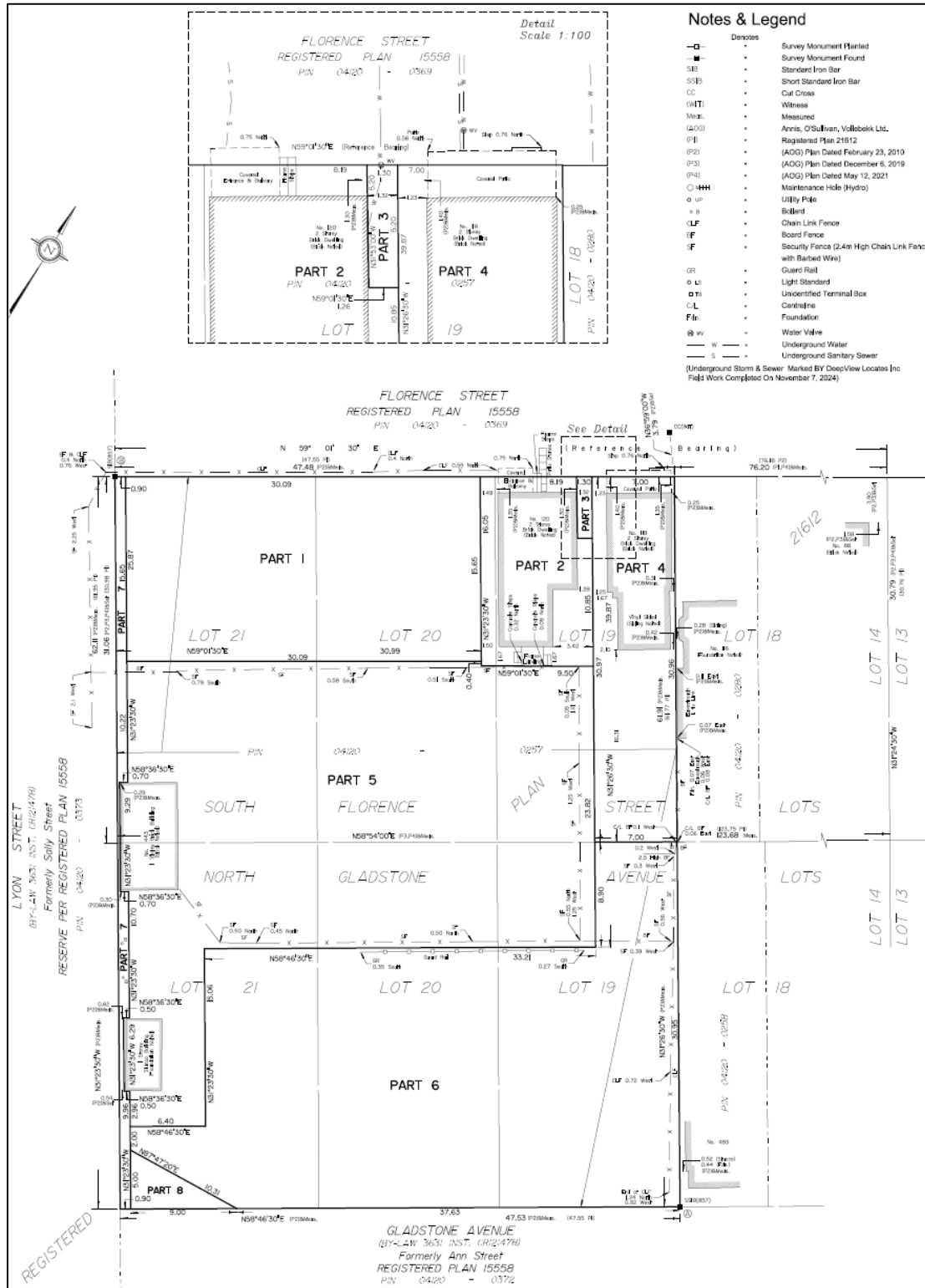


Figure 4. Survey plan excerpt (Annis, O'Sullivan, Vollebakk Ltd.)

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Based on the City's available aerial imagery on GeoOttawa it appears the site may have consisted entirely of residential uses in 1929 (see Figure 5). The next available imagery is from 1958, and it shows the site containing the existing MTS, the two existing detached dwellings and vacant land fronting Florence Street, and a row of six detached dwellings fronting Gladstone Avenue which have since been demolished as those lands are now vacant. Figures 5 to 7 provide additional site context from 2023 Google Streetview images.

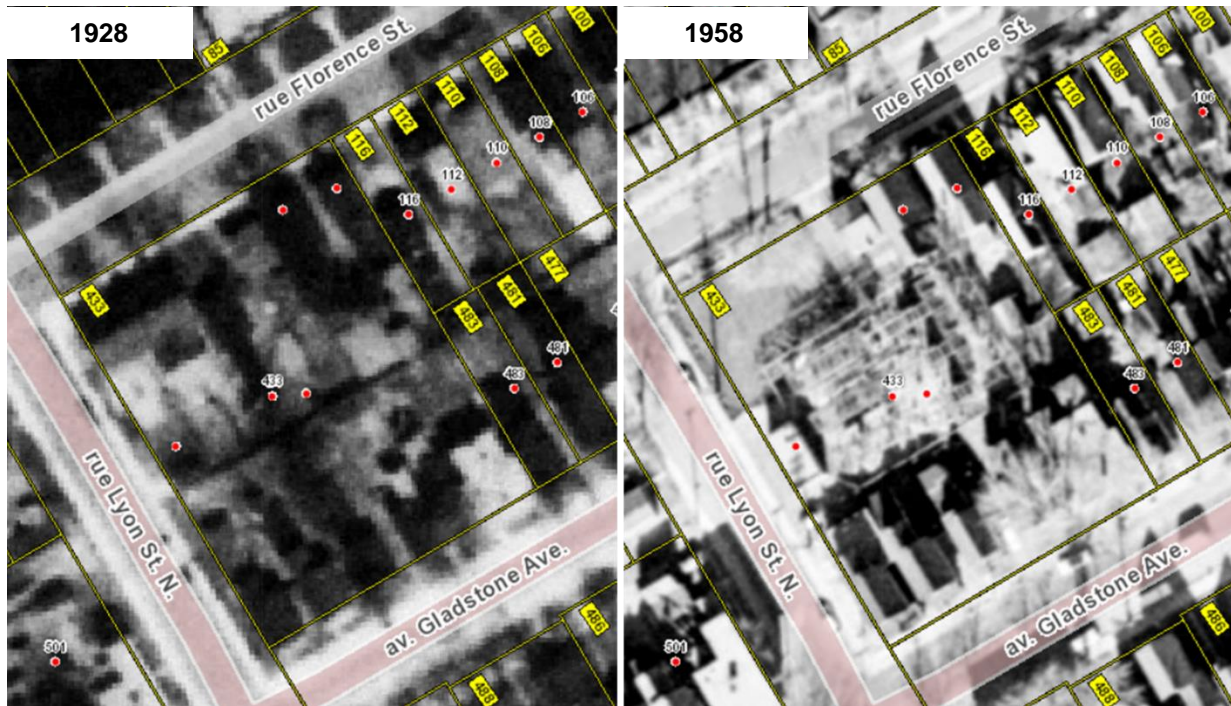


Figure 5. Historical aerial imagery from 1928 and 1958 (GeoOttawa, 2024)

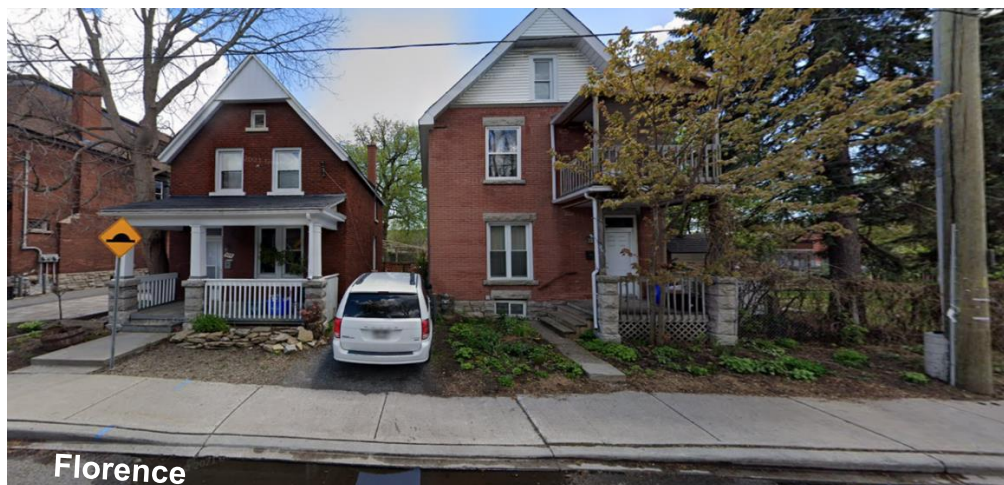


Figure 6. 2023 views of the site facing south along Florence Street (Google Streetview, 2024)

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Figure 7. 2023 views of the site facing northwest, north, and east (Google Streetview, 2024)



Figure 8. 2023 views of the site facing south, east, and southeast (Google Streetview, 2024)

## 2 Proposed Planning Act Applications

The subject site is one property that has historically functioned as five separate properties, and Hydro Ottawa Limited is seeking to subdivide their property to reflect this. Accordingly, the proposal is for two Planning Act applications to be submitted concurrently, which include a Zoning By-law Amendment (ZBLA) and a Lifting of Part Lot Control (PLC).

The proposed applications do not include or contemplate any physical development or alteration of the site. The purpose of the PLC application is to subdivide the site into five new properties reflective of the site's existing land uses and functions (see Table 2). The purpose of the ZBLA application is two-fold:

- to adjust the existing zone boundary between the R4UD and R4UD[478] zones in accordance with the proposed lot division (see Figure 11); and,
- to seek zoning relief so that the zoning by-law recognizes the existing conditions of the two detached residential dwellings once they are on their own conveyable lots.

Aside from the two proposed lots for the existing residential dwellings, all other proposed lots will comply fully with zoning. A detailed zoning review is provided in Subsection 3.5 of this report, and covers the aspects of the zoning by-law (ZBL) where relief is required once the two residential lots are created.

The proposal has been discussed with City staff through various pre-consultations, including one that was held on July 31, 2024, where it was confirmed that this planning rationale would be required to support complete ZBLA and PLC applications. It was also confirmed that the proposal may necessitate conveyance of land to the City for the purpose of rights-of-way (ROW) protection and corner sight triangles. Since the noted pre-consultation City transportation and ROW staff confirmed they'll require the below listed conveyances for ROW protection and corner sight triangles, which is reflected on the draft reference plan submitted in support of the applications (see Figure 4):

- Part 7: 0.9 metre ROW widening along Florence (varies)
- Part 8: 5 metre by 9 metre corner sight triangle at Lyon and Gladstone

With respect to the two residential dwellings fronting Florence Street, the following considerations have been accounted for through pre-consultation and the applications:

### Existing Encroachments

- 118 Florence Street has a covered patio that appears to encroach a maximum of 0.76 metres into the ROW (see Figure 9).
- 120 Florence Street has a covered patio and balcony that appears to encroach a maximum of 0.75 metres into the ROW (see Figure 9).

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- Through pre-consultation a discussion was held with the City's ROW Permit Office, and it was understood that the existing encroachments could be formalized as conditions of approval associated with the PLC application, and that their existence was likely long standing given the apparent age of the dwellings.

### Proposed Easement

- A front yard parking space between the two existing dwellings is accessed from an apparent private approach from Florence Street (see Figure 6), and appears to have been in use since at least 2007 as confirmed by Google Streetview. HOL has confirmed the parking space has been historically utilized by residents of 118 Florence Street.
- The proposed lot line between the two dwellings on the site generally follows the centreline of the existing driveway, which is approximately 2.55 metres wide from building wall to building wall. Accordingly, in order for 118 Florence Street to continue use of the noted parking space, an easement will need to be granted permitting such use over the portion of the driveway that is to be associated with the proposed property of 120 Florence Street.
- The draft reference plan contemplates the above by having 120 Florence Street consist of Parts 2 and 3, with Part 3 being the portion of the driveway where 118 Florence Street (Part 4) will have access to for parking purposes through the granting of a proposed easement (see Figure 9).

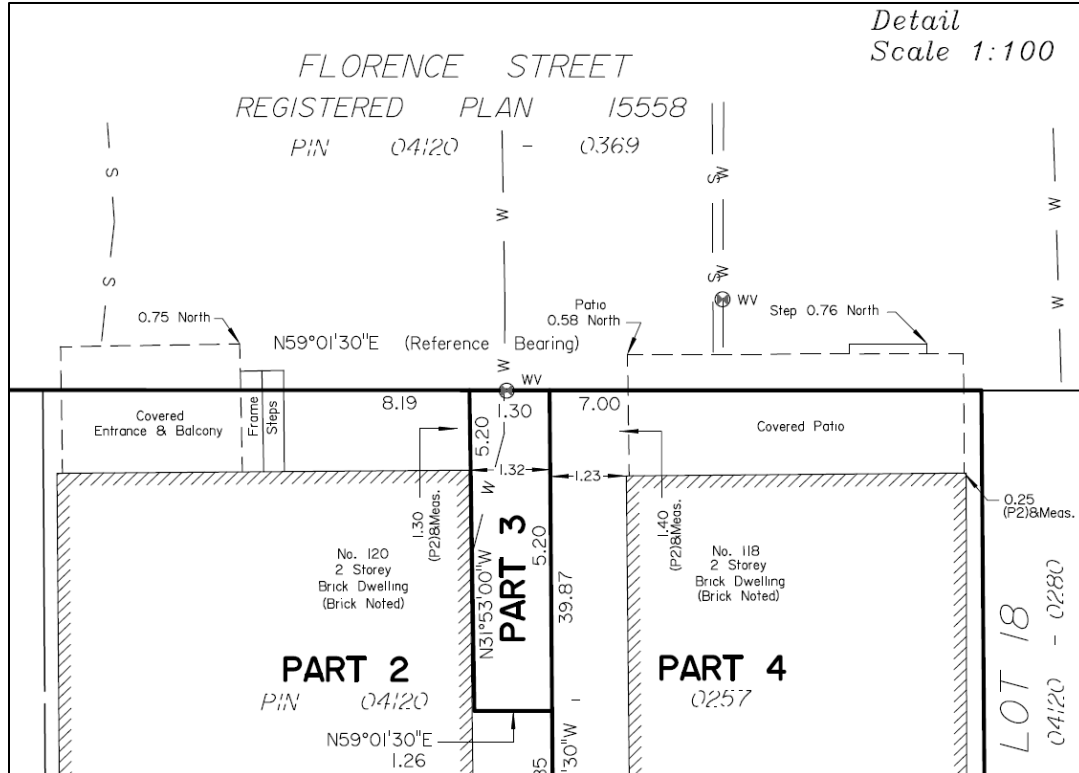


Figure 9. Survey plan excerpt (Annis, O'Sullivan, Vollebakk Ltd.)

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Table 2. Description of proposed lots

	Part 1	Parts 2 & 3	Part 4	Part 5	Part 6	Parts 7 & 8
<b>Existing Use / Feature</b>	Vacant	Detached dwelling (120 Florence)	Detached dwelling (118 Florence)	Municipal Transformer Station (MTS)	Vacant	Vacant (to be conveyed as ROW and corner sight triangle)
<b>Area</b>	470.9 m <sup>2</sup>	145.7 m <sup>2</sup> , 6.7 m <sup>2</sup>	216.8 m <sup>2</sup>	1,064.7 m <sup>2</sup>	972 m <sup>2</sup>	46.2 m <sup>2</sup> , 22.5 m <sup>2</sup>
<b>Frontage</b>	30.09 m (Florence)	8.19 m, 1.3m (Florence)	7 m (Florence)	41.86 m (Lyon)	2 m (Lyon), 47.94 m (Gladstone)	NA
<b>Separate Municipal Services</b>	NA	Water and Combined Sewer (see draft reference plan)	Water and Combined Sewer (see draft reference plan)	NA	NA	NA
<b>Zoning</b>	R4UD	R4UD & R4UD[478]	R4UD[478]	R4UD, R4UD[478] & TM H(15)	TM H(15)	R4UD & TM H(15)
<b>Official Plan Designation</b>	Minor Corridor	Minor Corridor	Minor Corridor	Minor Corridor	Minor Corridor	Minor Corridor

## 3 Policy Review and Justification

The following subsections provide reviews of the following land use planning documents:

- Provincial Planning Statement 2024
- Official Plan 2022, as amended (including the applicable Secondary Plan)
- Centretown Community Design Plan, 2013
- Zoning By-law 2008-250, as amended

### 3.1 Provincial Planning Statement 2024

The 2024 Provincial Planning Statement (PPS) was issued under section 3 of the Planning Act and came into effect October 20, 2024. The PPS provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

Municipal official plans are the most important vehicle for implementation of the PPS and for achieving comprehensive, integrated and long-term planning. Zoning by-laws are also important for implementing the PPS and should be forward-looking and facilitate opportunities for an appropriate range and mix of housing options for all Ontarians. Although the proposal does not include any physical development, there are still aspects of the proposal which are relevant to policy statements of the PPS, and these have been reviewed in the below table. The review demonstrates the proposal is consistent with the PPS.

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Table 3. PPS consistency review

PPS Section and Policy		Consistency Review
<b>2.2 Housing</b>		
<p><b>2.2.1</b> Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:</p> <p><b>b)</b> permitting and facilitating:</p> <p><b>2.</b> all types of residential intensification [...].</p>	<p>Although no physical development or site alteration is included or contemplated as part of the proposal, the creation of the two vacant lots zoned for residential and mixed use will facilitate opportunity for potential future development.</p>	
<b>3.5 Land Use Compatibility</b>		
<p><b>3.5.1</b> Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.</p>	<p>The MTS on the site may be considered an energy transmission system, which is included in the definition of “Major Facilities.”</p> <p>Residential uses have historically surrounded the long-standing MTS, a circumstance which is similar to areas elsewhere within the City’s built-up area.</p>	
<p><b>3.5.2</b> Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses is only permitted if potential adverse affects to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.</p>	<p>No physical development or site alteration is included or contemplated as part of the proposal for the non-MTS portions of the site. At the future time when those lands may be subject to redevelopment, they will need to be planned and developed to avoid adverse impacts and to ensure the long-term viability of the MTS.</p>	
<b>3.6 Sewage, Water and Stormwater</b>		
<p><b>3.6.1</b> Planning for sewage and water services shall:</p> <p><b>d)</b> integrate servicing and land use considerations at all stages of the planning process;</p> <p><b>f)</b> be in accordance with the servicing options outlined through policies 3.6.2, 3.6.3, 3.6.4 and 3.6.5.</p>	<p>The proposed lots will all have frontage onto roads containing full municipal services (water and combined sewers).</p>	
<p><b>3.6.2</b> Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. [...]</p>		



<p><b>3.6.7.</b> Planning authorities may allow lot creation where there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity.</p>	<p>The site is located within a built-up area of the City where intensification and infill development are contemplated by the Official Plan and Zoning By-law. Accordingly, it is anticipated that there would be sufficient water and sewage system reserve capacity to support the proposed lot creation, which does not include or contemplate any physical development or site alteration as part of the proposal.</p>
<p><b>3.6.8.</b> Planning for stormwater management shall:  <b>e)</b> maximize the extent and function of vegetative and pervious surfaces;</p>	<p>No physical development or site alteration is included or contemplated as part of the proposal, and so pervious site conditions are anticipated to remain unchanged by the proposal.</p>

## 3.2 Official Plan 2022

Ottawa’s Official Plan 2022, as amended, (OP) is a legal document, adopted under the authority of the Ontario Planning Act. Municipal Official Plans are required to contain goals, objectives and policies in order to manage and direct physical change and the effects on the social, economic, built and natural environments. Ottawa’s OP contains the City’s goals, objectives and policies to guide growth and manage physical change to 2046. As no physical development or site alteration is included or contemplated as part of the proposed ZBLA and PLC applications, there are a limited number of policies from the OP which are relevant to the proposal. These limited policies are reviewed in this section of the report, with the review demonstrating the proposal conforms to the OP.

### 3.2.1 Transect, Urban Designation, and City-wide Policies

The site is located within the City’s Downtown Core Transect and is designated Minor Corridor, as shown on Schedule B1 of the OP. Section 6 of the OP contains policies pertaining to the Minor Corridor designation, Section 5 contains Transect policies, and Section 4 contains City-wide policies. The below table provides a conformity review of the policies of the OP relevant to the proposal.

Table 4. OP (Volume 1) conformity review

OP Section and Policy	Conformity Review
<p><b>6.2.1 Define the Corridors and set the stage for their function and change over the life of this Plan</b></p>	
<p><b>6.2.1.1</b> Corridors are shown as linear features in the B-series of schedules. The Corridor designation applies to any lot abutting the Corridor, subject to:</p>	<p>Lyon Street North and Gladstone Avenue are both Minor Corridors, so given the site’s dimensions, it6s</p>

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<p>a) Generally, a maximum depth of:</p> <p>ii) In the case of Minor Corridors, a maximum depth of 120 metres from the centreline of the street identified as a Minor Corridor;</p> <p>c) Despite a) and b), where a secondary plan defines a Corridor differently, the boundaries in the secondary plan prevail.</p>	<p>entirety is well within the boundary of the Minor Corridor designation.</p> <p>This aligns with the Schedule B of the Central and East Downtown Core Secondary Plan which designates the entire site as Corridor.</p>
<p><b>6.2.1.3</b> Corridors will generally permit residential uses and such non-residential uses that integrate with a dense, mixed-use urban environment.</p>	<p>Although the proposal does not include or contemplate any physical development or site alteration, the site does contain two existing residential dwellings which represent a permitted land use.</p>
<p><b>4.1.7 Protect and invest in rights of way</b></p>	
<p><b>4.1.7.4 4)</b> The City may acquire land for rights of way or the widening of rights of way through conditions of approval for a plan of subdivision, severance (severed and retained parcels), site plan or a plan of condominium, as detailed in Schedule C16, and as identified in Environmental Assessments or approved road designs at no cost to the City. This may involve equal or unequal road widenings, and the use of easements for streets, to fulfil the requirement for additional land for measures such as corner triangles and auxiliary lanes at intersections, active transportation facilities, transit corridors, transit stops, utilities and related infrastructure, railway crossings, intersections or roundabouts.</p>	<p>See Section 2 of this report which speaks to ROW protection and corner sight triangles as they apply to the proposal.</p>
<p><b>4.4.1 Identify park priorities within Ottawa's growth areas</b></p>	
<p><b>4.4.1.1</b> The City shall provide parks through the following three mechanisms:</p> <p>a) As a condition of development, the City shall acquire land for parks or cash-in-lieu as directed by the Planning Act and the City's Parkland Dedication By-law or any successor By-law; or</p>	<p>It is understood that the proposed lot creation will result in a parkland requirement in accordance with the Planning Act and the City's Parkland Dedication By-law. HOL intends to address this requirement through cash-in-lieu of parkland.</p>
<p><b>4.7.2 Pursue an affordable and sustainable pattern of infrastructure development</b></p>	
<p><b>4.7.2.2 2)</b> Development in Public Service Areas shall be on the basis of both public water and wastewater services (full services).</p>	<p>Although the proposal does not include or contemplate any physical development or site alteration, the proposed lots will all have frontage</p>

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		onto roads containing full municipal services.
<b>4.8.2 Provide residents with equitable access to an urban forest canopy</b>		
	<p><b>4.8.2.3</b> Growth, development and intensification shall maintain the urban forest canopy and its ecosystem services, in accordance with Subsection 4.8.2, Policy 6) and the following:</p> <p><b>c)</b> Planning and development decisions, including Committee of Adjustment decisions, shall have regard for short-term, long-term and cumulative impacts on the urban forest at the neighbourhood and urban-wide scale;</p>	The proposal does not include or contemplate any physical development or site alteration.
<b>4.11 Generally Permitted Uses</b>		
	<p><b>Public Utilities and Municipal Services</b></p> <p><b>4.11.8</b> Public utility facilities and municipal services that are authorized under the requirements of the Environmental Assessment Act may be permitted in all designations of this Plan.</p>	It is understood the existing MTS is a public utility facility authorized under the requirements of the EA Act, and accordingly, is permitted within the site's Minor Corridor designation.
<b>5.1.1 Maintain and enhance an urban pattern of built form, site design and mix of uses</b>		
	<p><b>5.1.1.6</b> The Downtown Core is planned for higher-density, urban development forms where either no on-site parking is provided, or where parking is arranged on a common parking area, lot or parking garage accessed by a common driveway. The following policies apply to private approaches:</p> <p><b>c)</b> Further to the above, development applications may be required to:</p> <p><b>i)</b> Reduce the number and/or width of private approaches on a site;</p> <p><b>ii)</b> Re-use existing private approaches; or</p> <p><b>iii)</b> Relocate and/or combine existing private approaches with no net increase in number or width.</p>	<p>The proposal does not include the creation of new private approaches, as no new physical development or site alteration is included or contemplated as part of the proposal.</p> <p>A front yard parking space between the two existing houses is accessed from an apparent private approach from Florence Street, and appears to have been in use well before the OP was brought into force (2007 Google Streetview confirms this). It is understood that the use of this private approach is to be maintained to allow the dwelling at 118 Florence Street to continue parking a motor vehicle in the driveway.</p>

### 3.3 Central and East Downtown Core Secondary Plan

The site is subject to the Central and East Downtown Core Secondary Plan, as amended (SP), which is a subsidiary local plan located within Volume 2A – Urban Secondary Plans of the OP. The SP provides strategic planning direction to guide future development and redevelopment within the Central and East Downtown Core. No physical development or site alteration is included or contemplated as part of the proposed ZBLA and PLC applications, and so there are a limited number of policies from the SP which are relevant to the proposal. These limited policies are reviewed in this subsection of the report, with the review demonstrating the proposal conforms to the SP.

#### 3.3.1 Designations, General Policies, Centretown Character Area Policies

The site is located within the Centretown Character Area of Schedule A and is designated Corridor on Schedule B. Section 2 of the SP contains policies pertaining to the Corridor designation, Section 3 contains general policies, and Section 4 contains Centretown Character Area Policies. The below table provides a conformity review of the policies of the SP relevant to the proposal.

Table 5. SP conformity review

SP Section and Policy		Conformity Review
<b>Section 2: Designations</b>		
<b>2.4 Corridors</b>		Refer to Table 4 of this report.
5) Corridors will be consistent with Section 6.2 – Corridors, of Volume 1 of the Official Plan.		
<b>Section 3: General Policies</b>		
<b>3.1 Built Form</b>		The proposal does not include or contemplate any physical development or site alteration. Nonetheless, the two existing residential dwellings, which are not located on the Corridor designated streets, meet the intent of the policies under subsection 3.1.1
1) Development will contribute positively to the entire adjacent public realm. It should maximize the activity visible from the public realm and the activity easily accessible to it. Measures include but are not limited to:		
a) Functional main entrances directly accessible from the public realm for each unit on the ground floor. For further specification, this includes residential, retail and commercial units.		The two existing residential dwellings have functional main entrances accessible from the public realm.
b) Usable indoor and/or outdoor amenity areas where possible. These amenities are meant to encourage people to linger in or within view of the public realm. Examples include patios, porches, atria, stoops, etc.		The two existing residential dwellings have covered patios and balconies which provide for an appropriate balance of privacy and relation to the street.
d) Notwithstanding Section 3.1 - Built Form, Policies 1) b) and f), residential units at or near the ground		

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	<p>floor and their private outdoor amenity spaces should provide a comfortable degree of privacy, while also accommodating easy interaction with the public realm.</p>	
	<p><b>i)</b> Vehicular facilities must minimize all visual and functional impacts on the public realm.</p>	<p>A front yard parking space between the two existing houses appears to have been in use well before the SP was brought into force (2007 Google Streetview confirms this). The parking space appears limited in size and is partially screened from angled views along Florence Street by front yard landscaping and projections (e.g., covered patios). This parking arrangement is found to be prevalent along this stretch of Florence Street which spans from Kent Street to Lyon Street, and so it aligns with the existing character of the area.</p>
	<p><b>j)</b> Further to Section 3.1 - Built Form, Policy 1) i), surface parking and surfaces likely to be used as surface parking in front of buildings are prohibited.</p>	
<p><b>3.3 Mobility</b></p>		
	<p><b>3.3.1 Rights of Way</b>  <b>14)</b> Right of way widening consistent with right of way protections will be used for the purposes of improving the streetscape and addressing the needs of pedestrians and/or cyclists. Examples include widened sidewalks, bicycle parking, street trees and parkettes. This space will not be used to expand motor vehicle infrastructure. Corner sight triangles will no longer be required, unless it is demonstrated that it is impossible to achieve the satisfactory placement of signal or other infrastructure in a way that maintains pedestrian flow on the sidewalk. Wall-mounted infrastructure placement based on agreements with abutting landowners should be considered as preferable to the taking of land.</p>	<p>See Section 2 of this report which speaks to ROW protection and corner sight triangles as part of the proposal.</p>
	<p><b>3.3.2 Development</b>  <b>19)</b> The City will prohibit parking facilities in front of buildings, including front yard parking, or in any location which is highly visible from the public realm. Where they currently exist, the City will require their removal at the time of redevelopment or change of use.</p>	<p>See above review of policy 1)i) and 1)j) of subsection 3.1. Further, the two existing residential dwellings which have a single front yard parking space located between them are not subject to redevelopment or a change of use as part of this proposal.</p>
<p><b>Section 4: Character Area Policies</b></p>		

<p><b>4.4 Centretown</b></p>	
<p><b>4.4.5 Mobility Street Network</b> <b>14)</b> Right of way (ROW) protection shall respond to the existing pattern of development in Centretown and be pursued on a case-by-case basis. The primary consideration in modifying ROWs shall be to retain a consistent streetwall or other building frontage condition. In cases where a site is on the corner, or a neighbouring building is already setback, the ROW protection standard could be applied to increase the pedestrian zone.</p>	<p>See Section 2 of this report which speaks to ROW protection and corner sight triangles as part of the proposal.</p>
<p><b>4.4.6 Public Realm Parks and Privately-Owned Public Spaces (POPS)</b> <b>19)</b> The City shall pursue the acquisition and creation of new parks, POPS and other public spaces conceptually identified on Schedule B - Designation Plan and Schedule E - Greening Centretown and described in the Centretown CDP. The acquisition and/or programming of these areas will require working cooperatively with public agencies and private landowners. [...]</p>	<p>Schedule E of the SP identifies a potential new park on the Gladstone Avenue fronting portion of the site (vacant lands south of the existing MTS). It is understood that the proposed lot creation will result in a parkland requirement in accordance with the Planning Act and the City's Parkland Dedication By-law. HOL intends to address this requirement through cash-in-lieu of parkland.</p>
<p><b>4.4.11 Implementation General</b> <b>60)</b> This subsection shall be implemented using some or all of the following, as provided for under the Planning Act and also identified in Volume 1 of the Official Plan: <b>a)</b> Approval of individual draft plans of subdivision/condominium and part lot control exemptions <b>b)</b> Enactment of zoning by-laws <b>g)</b> Dedication of parkland or cash-in-lieu of parkland</p>	<p>The Centretown subsection of the SP (Subsection 4.4) has been reviewed to ensure the proposal conforms with the applicable policies, as it includes PLC and ZBLA applications, as well as an anticipated requirement for parkland (HOL intends to address this through cash-in-lieu of parkland).</p>

### **3.4 Centretown Community Design Plan**

A Community Design Plan is a non-statutory planning document that provides a vision and strategy for how a specific area is to evolve over time. The subject site is located within the study area of the Centretown Community Design Plan (CDP), which was prepared in 2013. The purpose of the previously reviewed SP is to translate directions from the CDP into statutory policies, as noted in subsection 4.4.2 of the SP and subsections 1.7 and 7.1 of the CDP. Accordingly, the review of the SP, by extension, demonstrates consideration for the CDP, especially given that the SP was renewed as part of the 2022 Official Plan and provides a more current relevance to the Official Plan's intent for how the Centretown area is planned to evolve.

### 3.5 Zoning By-law 2008-250

Zoning By-law 2008-250, as amended, divides the site into three separate zones, two of which are residential zones (subject to the Mature Neighbourhoods Overlay) and one a mixed-use zone (see Figure 10). The residential zones are both of the same parent and subzone, being Residential Fourth Density Zone, Subzone UD, with the only difference between them being that one is subject to urban exception 478, which serves only to identify “dwelling unit” as an additional permitted land use. The site’s mixed-use zone is Traditional Mainstreet Zone with a suffix permitting a maximum building height of 15 metres. Table 6 details the site’s existing zoning as it applies to the proposed new lots.



Figure 10. Zoning schedule excerpt (site outlined in dashed yellow)

Table 6. Existing zoning as it applies to the proposed lots

	Part 1	Parts 2 & 3	Part 4	Part 5	Part 6	Parts 7 & 8
<b>Zoning</b>	R4UD	R4UD & R4UD[478]	R4UD[478]	R4UD, R4UD[478] & TM H(15)	TM H(15)	R4UD & TM H(15)
<b>Existing Use / Feature</b>	Vacant	Detached dwelling (120 Florence)	Detached dwelling (118 Florence)	Municipal Transformer Station (MTS)	Vacant	Vacant (to be conveyed as ROW and corner sight triangle)

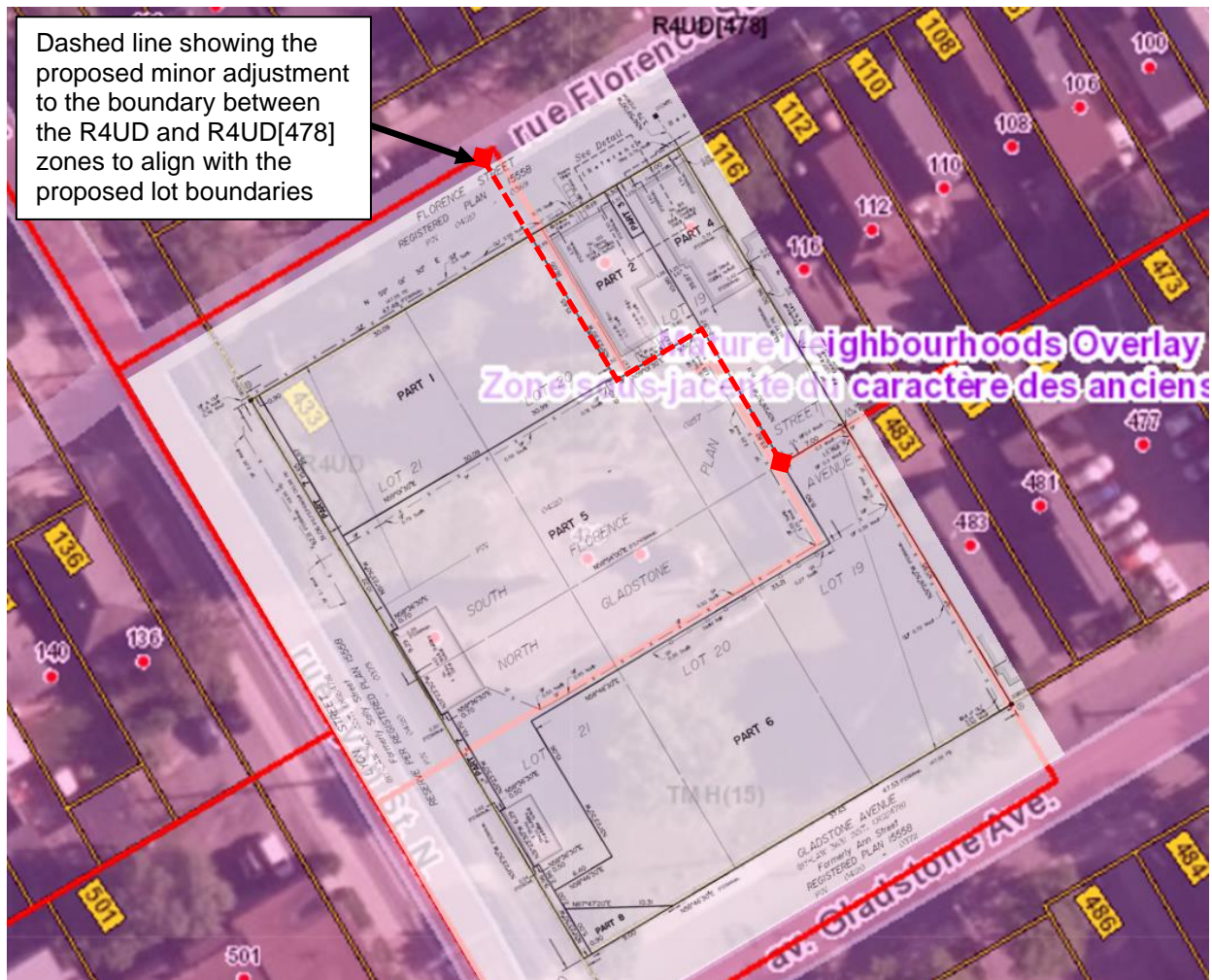


Figure 11. Overlay of draft reference plan with existing zoning and the proposed minor adjustment to the zone boundary (Annis, O'Sullivan, Vollebakk Ltd.; GeoOttawa)

As previously noted, the purpose of the ZBLA application is two-fold:

- to adjust the existing zone boundary between the R4UD and R4UD[478] zones in accordance with the proposed lot division (see Figure 11); and,
- to seek zoning relief so that the zoning by-law recognizes the existing conditions of the two detached residential dwellings once they are on their own conveyable lots.

Tables 7 to 10 provide a detailed analysis of zoning compliance for the five proposed lots to be created through the lifting of PLC. As noted previously in this report, no physical development or site alteration is included or contemplated as part of the proposal, and of the five lots to be created, only the two to contain the existing residential dwellings will require relief from the ZBL, whereas all others will be fully compliant



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with the ZBL. For the proposed vacant lots that will be in full compliance with the ZBL, a sketch has been prepared (see Figure 12) to demonstrate their zoning compliant buildable footprints.

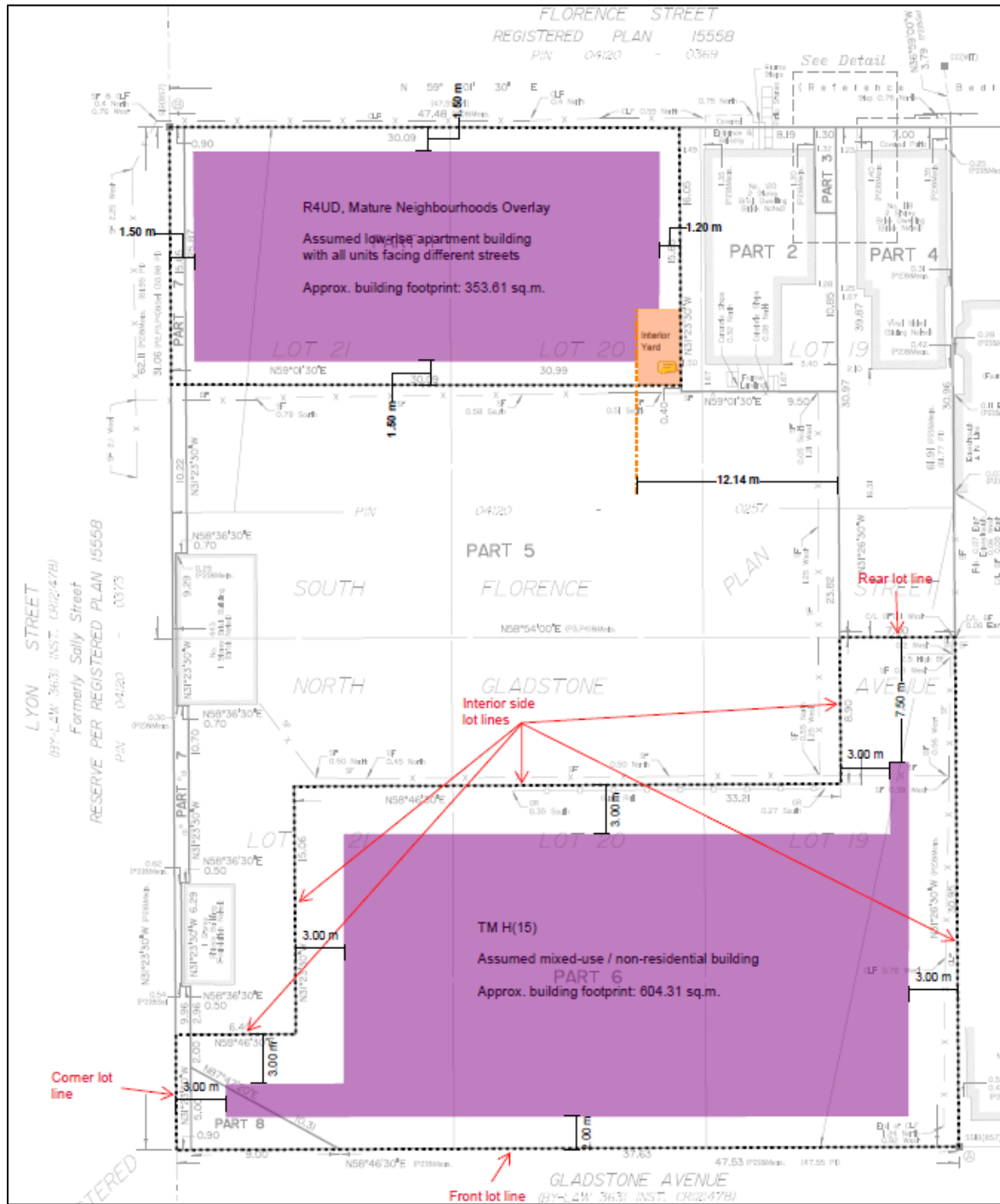


Figure 12. Zoning compliant buildable footprint scenario one

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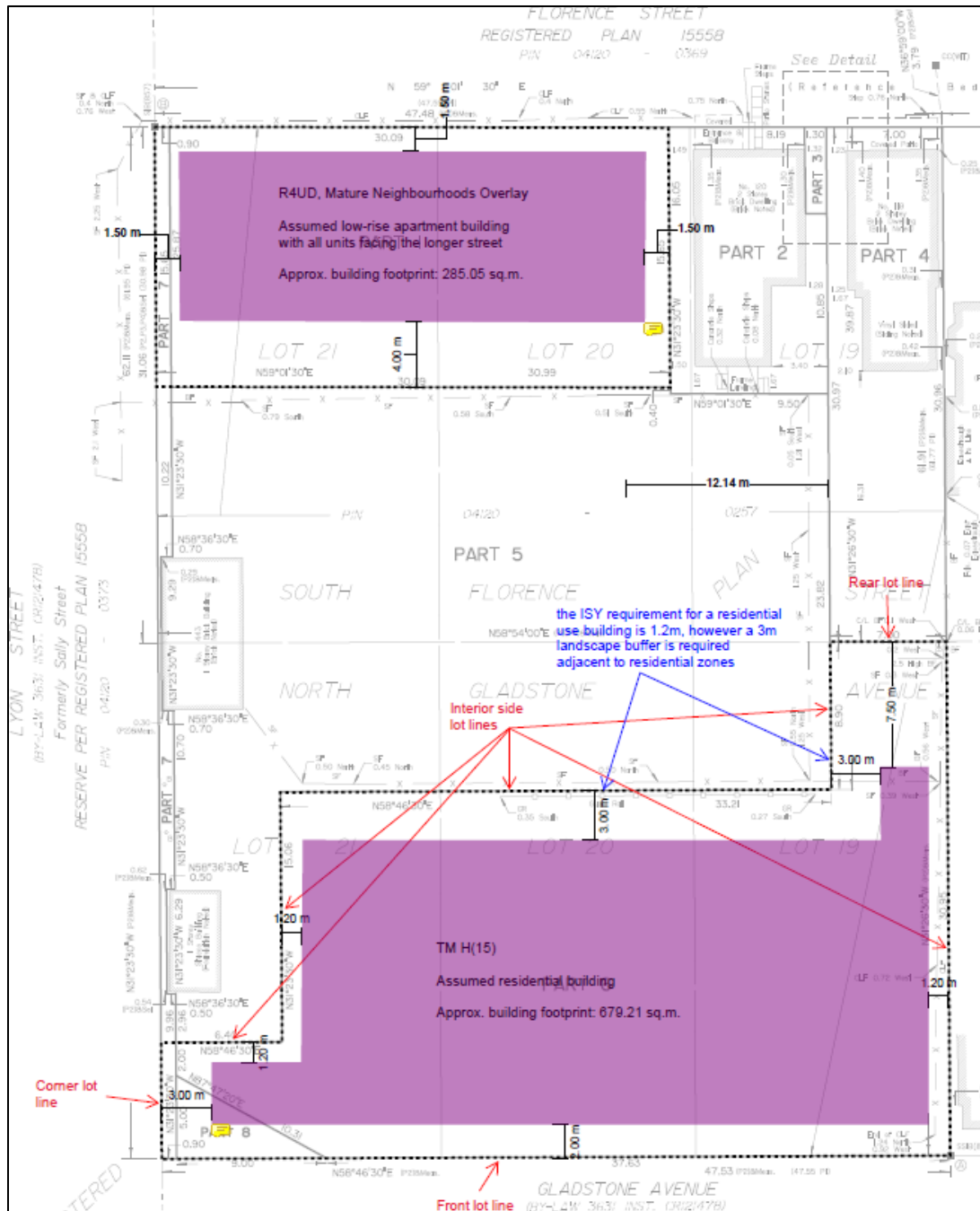


Figure 13. Zoning compliant buildable footprint scenario two

The zoning relief required for the two existing dwellings when reviewed as being on separate lots, as proposed, is extensive and reflective of the fact that these houses were constructed long before the enactment of ZBL 2008-250, and likely prior to any zoning by-law applying to the site. The requested rezoning is for the purpose of recognizing these two proposed lots in the form in which they've functioned

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for presumably at least 96 years (based on their appearance in 1928 aerial imagery from GeoOttawa), which is as two separate residential properties. Accordingly, it is our opinion that the requested rezoning is timely, appropriate, and representative of good land use planning that is in the public interest.

Given the complexity and unknowns in detailing the compliance of the proposed lots and their structures with the ZBL, it is recommended that the format for the requested rezoning be simplified by recognizing the properties and the structures on them as they exist on the date when the requested rezoning comes into full force and effect, if approved, and this can be accomplished through a new zoning exception that would apply to Parts 2, 3 and 4 of the draft reference plan.

*Table 7. Part 5 (existing MTS) zoning review - R4UD, R4UD[478], and TM H(15)*

Section	Provision	Required / Permitted	Part 5 (Existing MTS)	Notes
91(1)(f)	Utility installations that are subject to the requirements of the Environmental Assessment Act are permitted in all zones, and are not subject to the provisions of this Zoning By-law	Exempt from the ZBL	Existing Municipal Transformer Station (MTS) is a utility installation subject to the requirements of the EA Act.	-

*Table 8. Part 1 (vacant) zoning review - R4UD*

Section	Provision	Required / Permitted	Part 1 (Vacant)	Notes
Table 162A	Minimum lot width	4.5 m to 15 m (varies depending on dwelling type)	15.65 m	Proposed vacant lot is wide enough to accommodate all permitted residential dwelling types
Table 162A	Minimum lot area	135 m <sup>2</sup> to 450 m <sup>2</sup> (varies depending on dwelling type)	470.9 m <sup>2</sup>	Proposed vacant lot is large enough to accommodate all permitted residential dwelling types.

*Table 9. Part 6 (vacant) zoning review - TM H(15)*

Section	Provision	Required / Permitted	Part 6 (Vacant)	Notes
Table 197	Minimum lot width	No minimum	Varies	Proposed vacant lot has adequate frontage and lot width to accommodate permitted uses.
Table 197	Minimum lot area	No minimum	972 m <sup>2</sup>	Proposed vacant lot has adequate lot area to accommodate permitted uses.

*Table 10. Parts 2, 3 and 4 (existing detached dwellings) zoning review – R4UD and R4UD[478]*

Notes:		Permitted		
		Unknown		
	Red Text	Incompliant		
Section	Provision	Requirement / Permitted	Parts 2 and 3 (Existing Dwelling at 120 Florence)	Part 3 (Existing Dwelling at 118 Florence)
Table 162A	Minimum lot width	7.5 m	9.49 m	7 m
Table 162A	Minimum lot area	225 m <sup>2</sup>	152.4 m <sup>2</sup>	216.8 m <sup>2</sup>

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Table 162A	Maximum building height	11 m	Unknown (likely less than 11 m)  <b>Notes:</b> Survey and Google Streetview identify a two-storey building so it is assumed the height is 6-8 metres	Unknown (likely less than 11 m)  <b>Notes:</b> Survey and Google Streetview identify a two-storey building so it is assumed the height is 6-8 metres
144(1)	Minimum front yard setback	Must align with the average of the abutting lots' corresponding yard setback abutting the street. However, need not exceed the minimum of the underlying subzone (4.5m).	Abutting property: 1.35 m Required: 1.35 m <b>Provided: 1.3 m</b>	Abutting properties: 1.35 m and 10.5 m Average of abutting: 5.93 m Required: 4.5 m <b>Provided: 1.35 m</b>
144(1)(d)	Minimum front yard setback	In no case may be less than 1.5 m	<b>Provided: 1.3 m</b>	<b>Provided: 1.35 m</b>
Table 162B, Endnote 4 and Table 144A(i)	Minimum rear yard setback	For lots located within S. 342 and whose rear lot line abuts an R1, R2, R3 or R4 zone, see Part V, Section 144 – Alternative Yard Setbacks for Lowrise Dwellings in the Greenbelt.  In all other cases the minimum rear yard setback is 25% of the lot depth which must comprise at least 25% of the area of the lot, and need not exceed 7.5 m, except on lots with depths of 15 metres or less, in which case the minimum rear yard setback is 4 m.	Lot depth: 16.05 m Required: 4.01 m (25% of lot depth) <b>Provided: 1.67 m</b>  <b>Notes:</b> Abuts a R4 zone	Lot depth: 30.97 m Required: 7.5 m (25% of lot depth and area but need not exceed 7.5 m) Provided: 16.31 m  <b>Notes:</b> Abuts a TM zone
Table 162A	Minimum interior side yard setback	1.2 m / 0.6 m	1.49 m / 1.28 m	1.23 m / <b>0.25 m</b>
Table 139(1)	Minimum aggregated soft landscape area in the front yard (percentage)	Where the front yard setback is less than 1.5 m, no minimum, however, all lands within the front yard and within the corner side yard that are not occupied by permitted driveways, walkways and projections must consist of soft landscaping.	Unknown  <b>Notes:</b> The existing driveway, walkway, and projections pre-date this provision of the ZBL (2007 Google Streetview confirms this). Since the covered patio and balcony projections encroach into the ROW it is unknown if they were permitted when constructed.	Unknown  <b>Notes:</b> The existing driveway, walkway, and projection pre-date this provision of the ZBL (2007 Google Streetview confirms this). Since the covered patio projection encroaches into the ROW it is unknown if it was permitted when constructed.
139(2)	A driveway is subject to the following:	(a)(i) within the Mature Neighbourhoods Overlay a driveway is only permitted where in accordance with the confirmed Streetscape Character Analysis and Table 140B; and where permitted, the maximum width is as per Table 139(3) (a)(ii) within Area A on Schedule 343, the maximum width is as per Table 139(3).	Unknown  <b>Notes:</b> A Streetscape Character Analysis was not identified as a requirement during pre-consultation. Further, the existing driveway and front yard character pre-dates this provision of the ZBL (2007 Google Streetview confirms this).	Unknown  <b>Notes:</b> A Streetscape Character Analysis was not identified as a requirement during pre-consultation. Further, the existing driveway and front yard character pre-dates this provision of the ZBL (2007 Google Streetview confirms this).
Table 139(3)(iii)	Driveway regulations where the minimum lot width required is 7.5 m to less than 8.25 m	Maximum width of an individual single driveway: 2.75 m Maximum width of a shared driveway: 3 m	Portion on Parts 2-3: ± 1.32 m – 1.28 m Total driveway width: ± 2.55 m – 2.53 m  <b>Notes:</b> The proposed property line between Parts 2-3 and Part 4 divides the driveway approximately in half.	Portion on Part 4: ± 1.23 m – 1.25 m Total driveway width: ± 2.55 m – 2.53 m  <b>Notes:</b> The proposed property line between Parts 2-3 and Part 4 divides the driveway in half.
139(4)	A walkway located in a front yard or corner side yard is permitted subject to the following:	(b) Where a walkway extends from the right-of-way, it must be separated from any driveway by at least 0.6m of soft landscaping.	Unknown  <b>Notes:</b> Survey and Google Streetview appear to show the walkway being more than 0.6 m from any driveway.	Unknown  <b>Notes:</b> Survey and Google Streetview appear to show the walkway being more than 0.6 m from any driveway.

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		(c) The width of a walkway may not exceed: (ii) In the case of any other residential use building, 1.2 m;	Unknown  <b>Notes:</b> Survey and Google Streetview appear to show the walkway being less than 1.2 m in width.	Unknown  <b>Notes:</b> Survey and Google Streetview appear to show the walkway being less than 1.2 m in width.
		(e) A walkway may not extend to the right-of-way on a lot less than 10m in width where a driveway is provided.	<b>Walkway exists</b>  <b>Notes:</b> the lot width is less than 10 m and a driveway is provided (shared)	<b>Walkway exists</b>  <b>Notes:</b> the lot width is less than 10 m and a driveway is provided (shared)
		(f) A maximum of one walkway per yard is permitted to extend to the right-of-way in the case of a detached, semi-detached, long semi-detached or townhouse dwelling.	One walkway exists in the front yard	One walkway exists in the front yard
106(1)	Parking space provisions	Any motor vehicle parking space must be: (a) At least 2.6m wide (b) Not more than 3.1m wide (c) At least 5.2m long	<b>Parking space width varies and is less than the required minimum of 2.6 m.</b> Total parking space length is capable of being at least 5.2m.  <b>Notes:</b> Parking space is part of a shared driveway, with the portion on Part 2-3 being $\pm 1.32\text{ m} - 1.26\text{ m}$ wide, whereas the total width is $\pm 2.55\text{ m} - 2.5\text{ m}$ .	<b>Parking space width varies and is less than the required minimum of 2.6 m.</b> Total parking space length is capable of being at least 5.2m.  <b>Notes:</b> Parking space is part of a shared driveway with the portion on Part 4 being $\pm 1.23\text{ m} - 1.24\text{ m}$ wide, whereas the total width is $\pm 2.55\text{ m} - 2.5\text{ m}$ .
107(2)	Driveway provisions	A driveway providing access to parking spaces other than in a parking garage or parking lot must have a minimum width of 2.6 metres.	<b>Total driveway width is <math>\pm 2.55\text{ m}</math>, less than the required minimum of 2.6 m.</b>  <b>Notes:</b> Driveway is shared with the portion on Parts 2-3 being $\pm 1.32\text{ m} - 1.28\text{ m}$ wide, whereas the total width is $\pm 2.55\text{ m} - 2.53\text{ m}$ .	<b>Total driveway width is <math>\pm 2.55\text{ m}</math>, less than the required minimum of 2.6 m.</b>  <b>Notes:</b> Driveway is shared with the portion on Part 4 being $\pm 1.23\text{ m} - 1.25\text{ m}$ wide, whereas the total width is $2.55\text{ m} - 2.53\text{ m}$ .
109(3)	In the R1, R2, R3, R4, R5, V1, V2 and V3 zones:	(a) no parking space may be established and no person may park a motor vehicle: (i) in a required and provided front yard;	<b>Existing parking located partly within the front yard.</b>  <b>Note:</b> The existing front yard parking pre-dates this provision of the ZBL (2007 Google Streetview confirms this).	<b>Existing parking located partly within the front yard.</b>  <b>Note:</b> The existing front yard parking pre-dates this provision of the ZBL (2007 Google Streetview confirms this).
		(b) a walkway is permitted in any yard, provided that: (i) the walkway does not exceed 1.8m in width; and	Unknown  <b>Notes:</b> Survey and Google Streetview appear to show the walkway being less than 1.8 m in width.	Unknown  <b>Notes:</b> Survey and Google Streetview appear to show the walkway being less than 1.8 m in width.
		(b) a walkway is permitted in any yard, provided that: (ii) the walkway consists of hard landscaping.	Walkway consists of hard landscaping.	Walkway consists of hard landscaping.
Table 65(5)	Fire escapes, open stairways, stoop, landing, steps and ramps	(b) other features: i) where at or below the floor level of the first floor: 1.in the case of the interior side yard or rear yard: no limit,	Rear yard open stairway and landing projects approximately 1.67 m and is 0.08 m from the rear lot line.	NA
Table 65(6)	Covered or uncovered balcony, porch, deck, platform and verandah, with a maximum of two	(b) In the R1, R2, R3 and R4 Zones within Area A of Schedule 342: (iii) Where a lot has a depth of 23.5 m or less, the maximum projection is 0 m above the first floor;	Lot depth is less than 23.5 m and so the maximum permitted projection is 0 metres above the first floor.	The maximum permitted projection for the first floor is 2 m, but not closer than 1 m from any lot line.

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	enclosed sides, excluding those covered by canopies and awnings	(iv) In all other cases, the maximum projection is 2 m, but no closer than 1 m from any lot line.	<p><b>The covered second floor balcony appears to project over 2 m and beyond the front lot line.</b></p> <p>The maximum permitted projection for the first floor is 2 m, but not closer than 1 m from any lot line.</p> <p><b>The covered patio appears to project over 2 m and beyond the front lot line.</b></p>	<b>The covered patio appears to project over 2 m and beyond the front lot line.</b>
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## 4 Conclusion

This planning rationale has been prepared in support of proposed applications for a Zoning By-law Amendment ('ZBLA') and Lifting Part Lot Control ('PLC'). The proposed applications do not include or contemplate any physical development or alteration of the site. The purpose of the PLC application is to subdivide the site into five new lots reflective of the site's existing land uses and functions. The purpose of the ZBLA application is two-fold:

- to adjust the existing zone boundary between the R4UD and R4UD[478] zones in accordance with the proposed lot division; and,
- to seek zoning relief so that the zoning by-law recognizes the existing conditions of the two detached residential dwellings once they are on their own conveyable lots.

Aside from the two proposed lots for the existing residential dwellings, all other proposed lots will comply fully with zoning. In short, the subject site is one property that has historically functioned as five separate properties, and approval of the proposed applications will serve to realize this through land division and rezoning processes.

The proposal has been discussed with City staff through various pre-consultations, including one that was held on July 31, 2024, where it was confirmed that this planning rationale would be required to support complete ZBLA and PLC applications. This report demonstrates the proposal is timely and appropriate from a land use planning perspective, and that it is consistent with the Provincial Planning Statement 2024 and in conformity and compliance with the general intent and purpose of the City of Ottawa's Official Plan and Zoning By-law. Accordingly, it is our professional opinion that the proposal represents good land use planning that is in the public interest, and we therefore recommend the applications for approval.