

June 14, 1999

ACS1999-PW-PLN-0071
(File: OZP1999-009)

Department of Urban Planning and Public
Works

Ward/Quartier
OT8 - Mooney's Bay

- Planning and Economic Development
Committee / Comité de l'urbanisme et de
l'expansion économique
- City Council / Conseil municipal

Action/Exécution

Zoning - 1199 Clyde Avenue

Zonage - 1199, avenue Clyde

Recommendations

1. That the application to amend Zoning By-law 1998, as it applies to 1199 Clyde Avenue as shown on Document 5, to modify the existing zoning to permit a variety of residential uses, be APPROVED, as detailed on Document 3.
2. That the application to amend Zoning By-law Number Z-2K, as it applies to 1199 Clyde Avenue as shown on Document 6, to modify the existing zoning to permit a variety of residential uses, be APPROVED, as detailed on Document 4.



June 15, 1999 (12:08p)

Edward Robinson
Commissioner



June 15, 1999 (11:43a)


Approved by
John S. Burke
Chief Administrative Officer

PML:pml

Contact: Patrick Legault - 244-5300 ext. 1-3857

Financial Comment

N/A.


June 14, 1999 (1:22p)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendations

RECOMMENDATION 1

The subject property forms part of a larger development formerly owned by the T.C. Assaly Corporation (Assaly), and a smaller portion remaining under the ownership of the Federal Government. A draft plan of subdivision and rezoning were approved by the Ontario Municipal Board (OMB) for the subject lands on February 24, 1992. The draft subdivision proposed a mix of low, medium and high density residential development. The majority of vehicular access from the lands was to a proposed intersection at the southwest corner of the subdivision, at Clyde/Maitland Avenues. No development occurred subsequent to the OMB approval and the property was purchased by the applicant in 1997. The applicant allowed the OMB draft approved plan of subdivision to lapse March 31, 1999, and has reapplied for subdivision approval.

The impetus of the new application is a result of the lands being incorporated within the adjacent subdivision to the east owned by a common property owner. The lands to the east, which were the subject of recent City Council approvals for a rezoning on April 19, 1999 and draft plan of subdivision approval on May 19, 1999, were modified, in large part, to address a change in vision for the proposed community. These prior approvals envisioned a seniors type residential campus, consisting of low-, mid- and high-rise residential development with support services for seniors such as medical facilities, small scale retail etc.. As with the subject lands, no development occurred, and the property was sold to Ashcroft Homes.

The proposed rezoning has resulted largely from modifications to the plan of subdivision. The previous draft plan of subdivision contemplated a traditional residential subdivision combining a mix of low, medium and high density residential development. The subject rezoning maintains this intent with the new subdivision proposal. The linking of the subject property with the adjacent lands to the east necessitated alterations in the internal street layout and relocation of the park block. The major modification removes the subdivision's vehicular access to Clyde/Maitland Avenues. Vehicular access to and from the subdivision will be through local street connections to Central Park Drive, intersecting with Merivale Road in two locations. A traffic impact study (prepared by Delcan dated March 1999) and addendum (prepared by Delcan

dated May 1999) supports that all vehicular access to and from both the subject subdivision and the adjacent subdivision to the east can be accommodated from the two Merivale Road connections only. Based on the existing and proposed zoning designations, the number of dwelling units proposed for the combined subdivisions (subject subdivision and adjacent subdivision to the east) is similar to what was previously proposed for the adjacent subdivision to the east. The proposed zoning represents, in large part, an adjustment to the existing zoning to match the abutting zoning to the east, with some modifications to yard requirements. These modifications allow for slightly more compact development than the standard zones, thereby maintaining, to a certain extent, the densities. By and large, the subject rezoning maintains the intent of the existing zoning.

In addition, the lands fronting on Clyde Avenue will be rezoned to permit detached and semi-detached dwellings on 30 lots for a maximum of 60 units. The current zoning permits detached homes only, with varying front yard setbacks. The proposed rezoning to permit semi-detached dwellings would be in keeping with the existing land use on the west side of Clyde Avenue, which is comprised of singles, semi-detached and converted dwellings. The proposal has been modified from the original request, in that the front yard setbacks will range from 5.5 to 6 metres, rather than the previously requested 3 metres. The lot widths will be a maximum of 15 metres wide, as per the standard lot width in the R2G zone.

RECOMMENDATION 2

As Committee and Council are aware, Zoning By-law, 1998 has been appealed to the Ontario Municipal Board. Final resolution of those appeals is anticipated later this year. Until the appeals have been disposed of, the most restrictive zoning of either Zoning By-law, 1998 or By-law Number Z-2K is to apply. In the case of the subject property, this zoning will essentially match the proposed zoning under Zoning By-law, 1998.

Economic Impact Statement

The subject application is an adjustment to the current zoning insofar as a new subdivision plan has been submitted. The economic impact has been identified in the accompanying subdivision report.

Environmental Impact

An Environmental Impact Screening Checklist was completed by the applicant to complement the Municipal Environmental Evaluation Report (MEER) prepared for 1260 Merivale Road. Potential impacts to soils, vegetation, surface water, and transportation were identified. These impacts have been adequately addressed through the following measures: an erosion and sediment control plan; the protection of the conservation area; a stormwater management facility; and transportation study. Therefore, potential adverse environmental impacts were identified but mitigable by current technologies.

Consultation

There was one comment received as a result of the public notification, in opposition to a Clyde Avenue access from the subject subdivision. A public meeting respecting the concurrent subdivision application was held June 2, 1999, where comments were raised respecting the zoning of the subject lands. These comments relate to density, the number of units facing Clyde Avenue, and yard requirements.

Disposition

Department of Corporate Services, Statutory Services Branch to notify the owner and agent (A. Diensthuber, 18 Antares Drive, Nepean, Ontario, K2E 1A9), the Corporate Services Branch, Revenue Section, Assessment Control Supervisor and Region of Ottawa-Carleton, Plans Administration Division of City Council's decision.

Office of the City Solicitor to forward implementing by-law to City Council.

Department of Urban Planning and Public Works to write and circulate the implementing by-laws.

List of Supporting Documentation

Document 1	Explanatory Note - Amending Zoning By-law, 1998
Document 2	Explanatory Note - Amending Zoning By-law Number Z-2K
Document 3	Details of Recommended Zoning By-law 1998
Document 4	Details of Recommended Zoning By-law Number Z-2K
Document 5	Location Map Zoning By-law, 1998
Document 6	Location Map Zoning By-law Number Z-2K
Document 7	Proposed Zoning Map Zoning By-law, 1998
Document 8	Proposed Zoning Map Zoning By-law Number Z-2K
Document 9	Municipal Impact Screening Checklist (on file with City Clerk)
Document 10	Compatibility With Public Participation Policy/Input From Other Government Agencies

Part II - Supporting Documentation

Explanatory Note - Amending Zoning By-law, 1998

Document 1

THE FOLLOWING IS AN EXPLANATORY NOTE TO BY-LAW -99

By-law Number -99 amends Zoning By-law, 1998, the City's Comprehensive Zoning By-law.

The subject property is located east of Clyde Avenue, and north of Federally-owned lands, Laurentian High School, and the Boy Scouts of Canada headquarters on Baseline Road. The applicant wishes to amend the zoning to permit low, medium and high density residential development. The rezoning is required as a result of a new plan of subdivision for the subject lands, which modifies the street and residential block layouts within the proposed subdivision. In addition, modifications to the performance standards respecting yard and setback requirements within some zones is being requested. By and large, the subject rezoning maintains the intent of the existing zoning, in terms of permitted lands uses and density. The property which is the subject of this application can be seen on Document 5.

Current Zoning

The current zoning of the property is R1J, R1L [28] H (7.6), R1L [29] H (7.6), R1L [30] H (7.6), R1L [31] H (7.6), R1J[28], R1L, R5A H (13.6), R6A [144] H (28), and ES1. These zoning designations permit a broad range of housing in a mix of low, medium and high density housing types, ranging from detached dwellings in the R1J, R1L [28] H (7.6), R1L [29] H (7.6), R1L [30] H (7.6), R1L [31] H (7.6), R1J[28], and R1L zones, to low-rise apartments in the R5A H (13.6) zone, to high-rise apartments in the R6A [144] H (28) zone. Exceptions to the zones relate to minimum lot area and width, setbacks, density, building height limits, and the provision of limited commercial uses in certain zones. The ES1 zone is an environmentally sensitive area zone, the purpose of which is to prohibit uses that have the potential to impact negatively on land so designated in the Official Plan.

Proposed Zoning

The proposed zoning designations will be: R1J [28], R2G [688]U (37), identified in Details of Recommended Zoning - Document 3; R2G U (45), identified as Exception 1 and Exception 2 in Details of Recommended Zoning - Document 3; R6F [690] H (28.0)U (100), identified in Details of Recommended Zoning - Document 3; L3, and ES1 for Zoning By-law, 1998. These zoning designations will permit a broad range of housing types, ranging from detached dwellings in the R1J [28] zone to detached, semi-detached and duplex houses in the R2G [688] U (37) and R2G U (45) zones; to a high-rise apartment zone permitting a mix of medium and high density residential uses within the R6F [690]H (28.0) U (100) zone. Exceptions to the zone relate to setbacks, and driveway widths. The L3 zone is a community leisure zone permitting recreational uses that meet the needs of the surrounding community. The ES1 zone is an environmentally sensitive area zone prohibiting uses that could have a potential negative impact on lands designated environmentally sensitive area in the Official Plan.

THE FOLLOWING IS AN EXPLANATORY NOTE TO BY-LAW NUMBER -99

By-law Number -99 amends Zoning By-law Number Z-2K, the City's Comprehensive Zoning By-law.

The subject property is located east of Clyde Avenue, and north of Federally-owned lands Laurentian High School, and the Boy Scouts of Canada headquarters on Baseline Road. The applicant wishes to amend the zoning to permit low, medium and high density residential development. The rezoning is required as a result of a new plan of subdivision for the subject lands, which modifies the street and residential block layouts within the proposed subdivision. In addition, modifications to the performance standards respecting yard and setback requirements within some zones is being requested. By and large, the subject rezoning maintains the intent of the existing zoning, in terms of permitted lands uses and density. The property which is the subject of this application can be seen on Document 6.

Current Zoning

The current zoning of the property is R3-x[67], R3-x[68], R3-x[69], R3-x[70], R3-x[71], R3-x[72], R3-x[73], R5-x(0.5)[176], R5-x(1.0)[177] and CONS-x[1]. These zoning designations permit a broad range of housing in a mix of low, medium and high density housing types, ranging from single family dwellings in the R3-x zones, to row dwellings and apartments in the R5-x(0.5)[176] and R5-x(1.0)[177] zones. The CONS-x[1] zone is an environmentally sensitive area zone, the purpose of which is to prohibit uses that have the potential to impact negatively on land so designated in the Official Plan.

Proposed Zoning

The proposed zoning designations are: R3-x [67], R4-x Exception 1 and Exception 2, R4-x [188], R5-x (1.0) [232] and CONS -x [2] for Comprehensive Zoning By-law Z-2K. These zoning designations will permit a broad range of housing types, ranging from single family, two family and row house zone in the R3 and R4 zones to low density apartments in the R5 zone. Exceptions to the zone relate to minimum lot area and width, setbacks, and density. The CONS -x [2] is an environmentally sensitive area zone prohibiting uses that could have a potential negative impact on lands designated environmentally sensitive area in the Official Plan.

DETAILS OF RECOMMENDED ZONING BY-LAW, 1998

Document 3

1. R1J [28] Zone (Blocks 41, 42 and Part of Blocks 38, 39, 40, 62 and 63)

The recommended R1J [28] zoning designation would maintain all of the provisions under the existing R1J [28] zone.

2. R2G U (45) Zone - Exception 1 (Lots 4 and 5, 11 to 15, 21, 23 to 25, Block 32, Part of Lots 1, 3 and 22 and Part of Block 33)

The recommended R2G U (45) zoning designation would maintain all of the provisions under the standard R2G zone except that:

- i. a minimum front yard setback of 6 metres would be required
- ii. a minimum side yard setback of 1.2 metres would be required
- iii. a minimum driveway width of 2.6 metres would be required.

3. R2G U (45) Zone - Exception 2 (Lots 6 to 10, 16 to 20, 26 to 30 and Block 31)

The recommended R2G U (45) zoning designation would maintain all of the provisions under the standard R2G zone except that:

- i. a minimum front yard setback of 5.5 metres would be required
- ii. a minimum side yard setback of 1.2 metres would be required
- iii. a minimum driveway width of 2.6 metres would be required.

4. R2G [688] U (37) Zone (Blocks 34, 43, 44, 45, 46, 47, 48, 59, 60, 61, and part of Blocks 35, 37, 62)

The recommended R2G [688] U (37) zoning designation would maintain all of the provisions under the existing R2G [688] U (37) zone.

5. R6F [690] H (28.0) U (100) Zone (Blocks 49, 50, 52, 53, 54, 55, 56, 58 and part of Blocks 51)

The recommended R6F [690] H (28.0) U (100) zoning designation would maintain all of the provisions under the existing R6F [690] H (28.0) U (100) zone.

6. L3 Zone (Blocks 36, 57, and part of Lot 22, and part of Blocks 35, 37 and 51)

The recommended L3 zoning designation would maintain all of the provisions under the standard L3 zone.

7. ES1 Zone (Part of Blocks 33, 38, 39, 40, 63 and Part of Lots 1, 2 and 3)

The recommended ES1 zoning designation would maintain all of the provisions under the standard ES1 zone.

DETAILS OF RECOMMENDED ZONING BY-LAW NUMBER Z-2K

Document 4

1. R3-x [67] zone (Blocks 41, 42 and Part of Blocks 38, 39, 40, 62 and 63)

The recommended R3-x [67] zoning designation would maintain all of the provisions under the existing R3-x [67] zone except that:

S a minimum front yard setback of 5 metres would be required

2. R4-x Zone - Exception 1 (Lots 4 and 5, 11 to 15, 21, 23 to 25, Block 32, Part of Lots 1, 3 and 22 and Part of Block 33)

The recommended R4-x zoning designation would maintain all of the provisions under the standard R4 zone except that:

- a. a minimum front yard setback of 6 metres would be required;
- b. a minimum side yard setback of 1.2 metres would be required;
- c. a minimum rear yard setback of 6 metres would be required;
- d. a minimum driveway width of 2.6 metres would be required;
- e. row dwellings are not permitted;
- f. a maximum density of 45 units per hectare;
- g. for a single family or duplex dwelling:
 - S** minimum lot width of 7.5 metres would be required
 - S** minimum lot area of 197 square metres would be required;
- h. for a semi-detached dwelling:
 - S** minimum lot width of 7.5 metres would be required
 - S** minimum lot area of 225 square metres would be required;
- i. that at least 30% of the lot area, on which a group building project is located, must be landscaped open space
- j. park or playground are permitted.

3. R4-x Zone - Exception 2 (Lots 6 to 10, 16 to 20, 26 to 30 and Block 31)

The recommended R4-x zoning designation would maintain all of the provisions under the standard R4 zone except that:

- a. a minimum front yard setback of 5.5 metres would be required;
- b. a minimum side yard setback of 1.2 metres would be required;
- c. a minimum rear yard setback of 6 metres would be required;
- d. a minimum driveway width of 2.6 metres would be required;
- e. row dwellings are not permitted;
- f. a maximum density of 45 units per hectare;
- g. for a single family or duplex dwelling:
 - S** minimum lot width of 7.5 metres would be required
 - S** minimum lot area of 197 square metres would be required;

- h. for a semi-detached dwelling:
 - S** minimum lot width of 7.5 metres would be required
 - S** minimum lot area of 225 square metres would be required;
- i. that at least 30% of the lot area, on which a group building project is located, must be landscaped open space.

4. R4-x [188] zone (Blocks 34, 43, 44, 45, 46, 47, 48, 59, 60, 61, and part of Blocks 35, 37 and 62)

The recommended R4-x [188] zoning designation would maintain all of the provisions under the existing R4-x [188] zone, except that:

- park or playground are permitted.

5. R5-x (1.0) [232] zone (Blocks 49, 50, 52, 53, 54 and 55)

The recommended R5-x (1.0) [232] zone zoning designation would maintain all of the provisions under the existing R5-x (1.0) [232] zone.

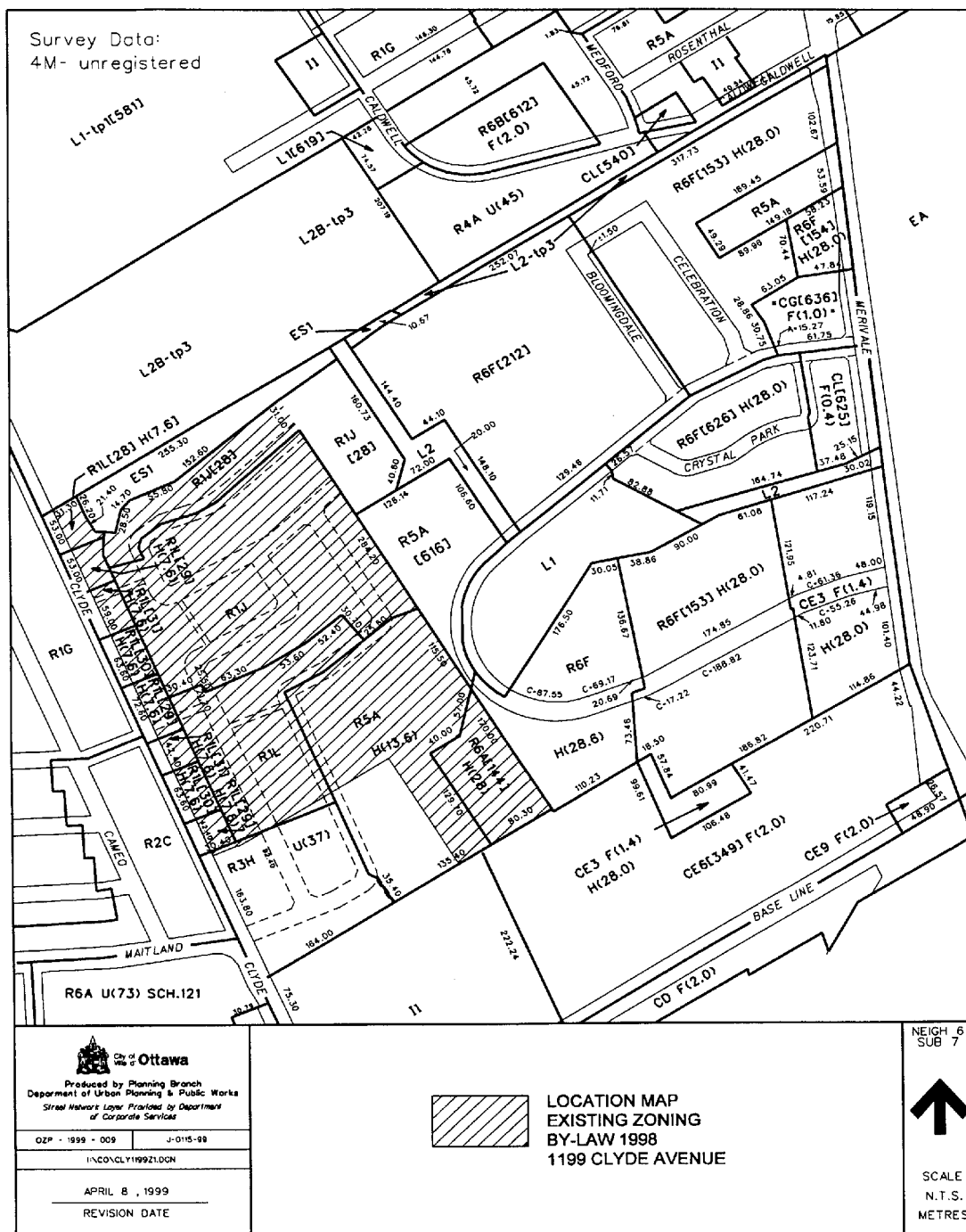
- park or playground are permitted.

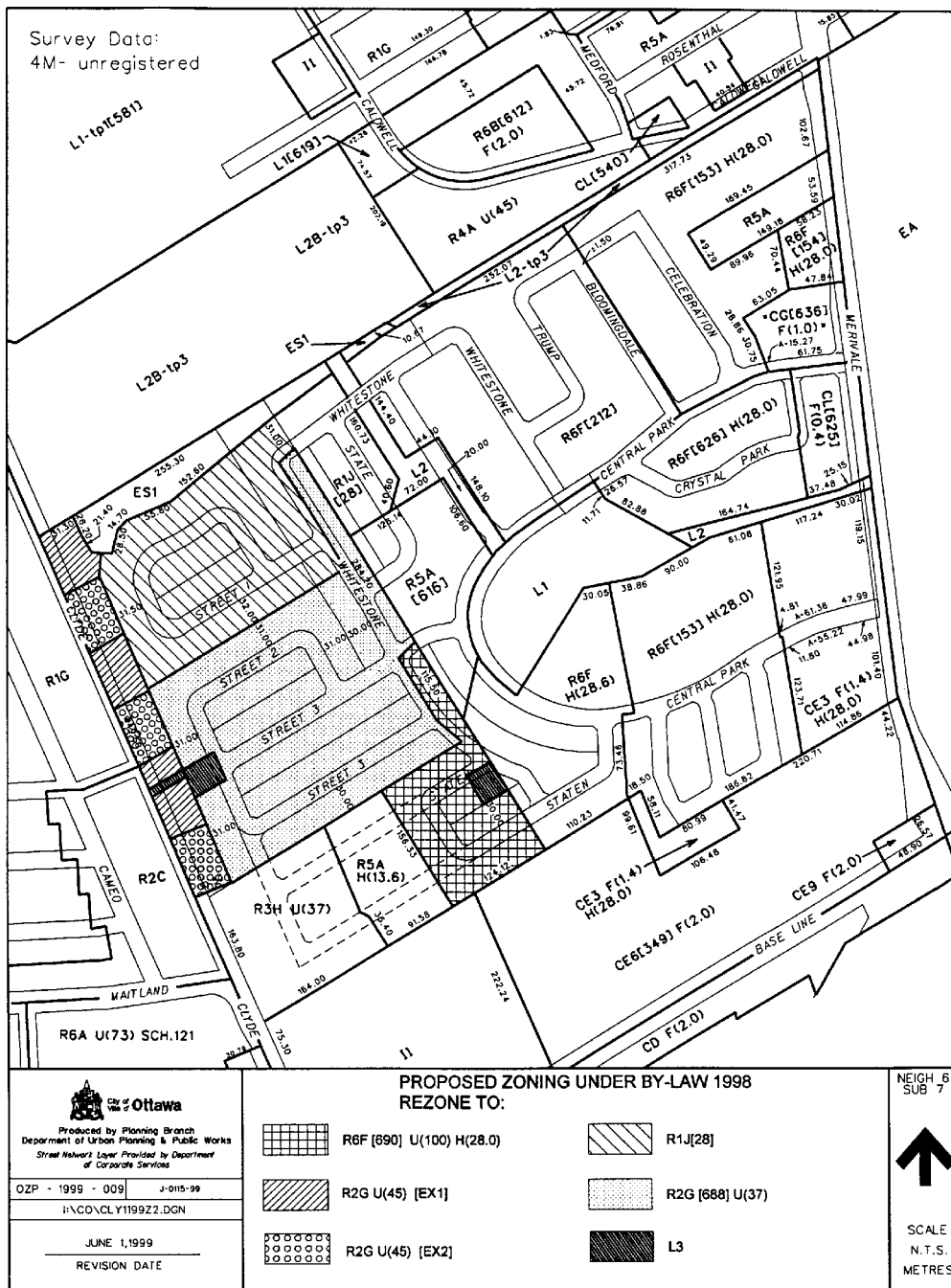
6. CONS.-x [2] zone (Part of Lots 1, 2 and 3 and Part of Blocks 33, 38, 39, 40 and 63)

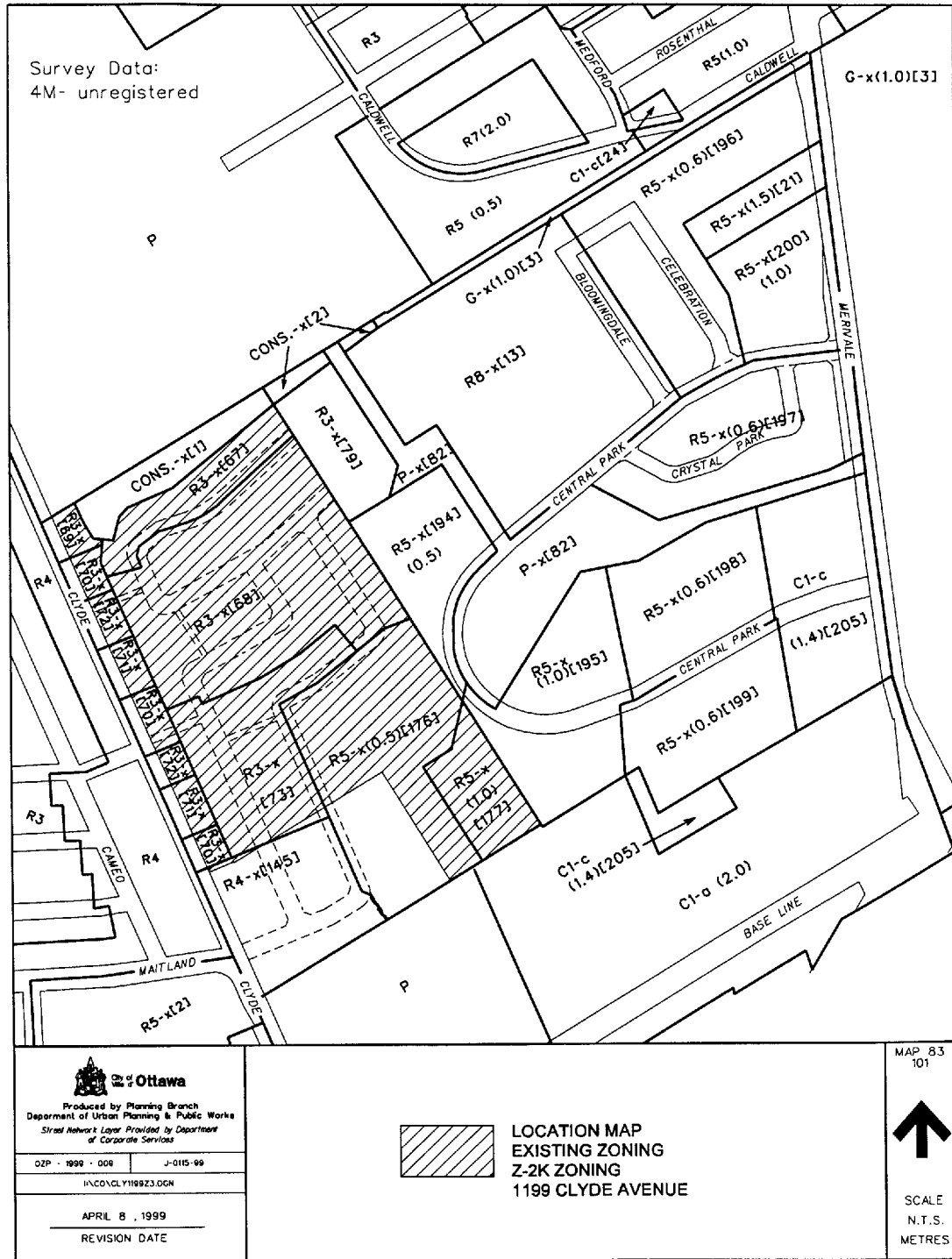
The recommended CONS.x [2] zoning designation would maintain all of the provisions under the standard CONS.x [2].

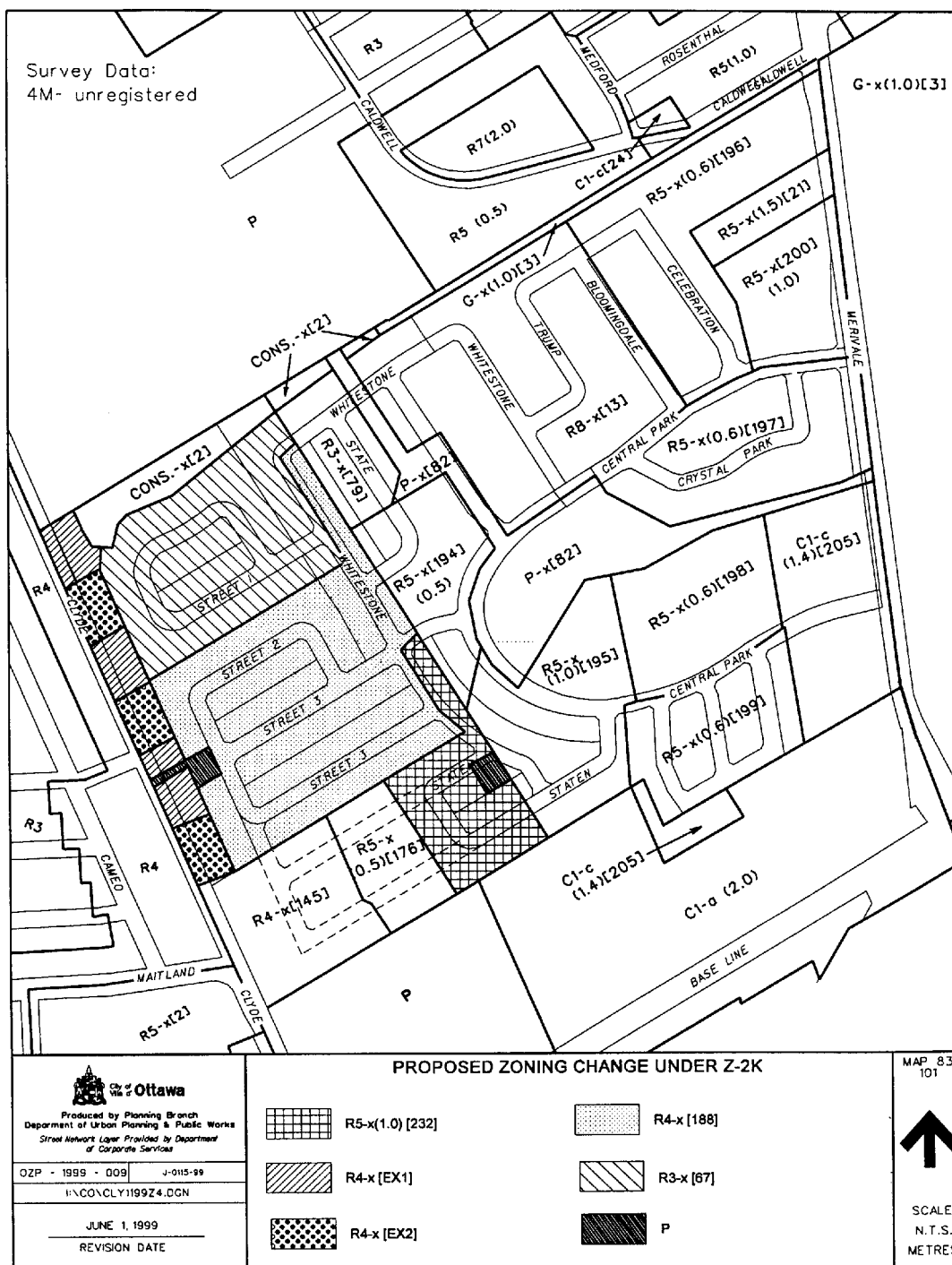
7. P zone (Blocks 36, 57, and part of Lot 22, and part of Blocks 35, 37 and 51)

The recommended P zoning designation would maintain all of the provisions under the standard P zone.









COMPATIBILITY WITH PUBLIC PARTICIPATION

Document 10

NOTIFICATION AND CONSULTATION PROCESS

Notification and consultation procedures were carried out in accordance with Early Notification Procedures P&D\PPP\N&C#1 approved by City Council for Zoning Amendments.

SUMMARY OF PUBLIC INPUT

There was one response to the public notification, in opposition to a Clyde Avenue access. A public meeting was held June 2, 1999 with respect to the subdivision review process, which approximately 300 residents attended. The concerns raised respecting the zoning are summarized as follows:

- Can live with 42 semi-detached dwellings on Clyde Avenue.
- Limit access to new development to new houses, 43 in total that will front Clyde Avenue.
- Additional setback for proposed units on Clyde Avenue.
- Why can't semi-detached face back onto Ashcroft development. Overall new plan better than old Assaly plan.
- Resentment against developer with respect to claims to market single family homes along Clyde Avenue, then claiming those would not sell switching them to doubles. Effect of dumping 100 more cars (60 homes X 2 cars) in an area hard-pressed to absorb them.
- Prefer singles with lower density and variety as already exists on most streets in Copeland Park.
- Density of proposed semi-detached should not exceed density of existing units on Clyde.
- Units on Clyde Avenue increased from 42 single family units to 60 semi-detached, representing a 43% increase in density from OMB decision. Ignores issue of compatibility with existing Copeland Park community, with smaller lots. This will highlight differences between two sides. Would support some increase in density to 50 housing units.
- Increase in traffic from 60 units would be felt by community, through increased traffic in combination with exiting units on Clyde.
- Concern Ashcroft may build more than 60 units.
- No problem with semi-detached on east side of Clyde Avenue, but have problem with the numbers. There are 46 units on the west side, therefore a reduction to 48 semi-detached would be a better balance and match with the west side.
- Additional units will place further stress on Glenmount/Maitland, proper advanced green light be installed to permit safe turns onto Glenmount by traffic heading south on Maitland.

Response to Comments

While the proposed land use respecting the lands fronting on the east side of Clyde Avenue is the subject of a concurrent subdivision application, staff is recommending the creation of 30 lots to allow for 60 semi-detached dwellings. The lands are currently zoned to permit single family dwellings. The lands along the west side of Clyde Avenue are made up of a mix of singles, semi-detached and converted dwellings, and as such, would not be considered inappropriate to permit semi-detached dwellings on the east side of the street. The traffic study indicates that there will be no impact on the Copeland Park community with the addition of the proposed dwelling units,

although they will generate some traffic that will filter through the community. The proposed zoning, which maintains detached dwellings as a permitted use, would also permit a maximum of 60 semi-detached units. There is proposed to be alternating front yard setback requirements ranging from 5.5 to 6 metres. The applicant's original request was to reduce the front yard to 3 metres. While the issue of marketing singles was raised at the public meeting, is not an issue staff considers, in determining the appropriateness of a zoning request.

APPLICATION PROCESS TIMELINE STATUS

The application which was submitted on March 16, 1999, was subject to a project management timeline, as recommended by the "A Better Way Task Force". A process chart which established critical milestones, was prepared and circulated as part of the technical circulation and early notification process. The application was processed within the timeframe established for processing zoning applications.

COUNCILLOR'S COMMENTS

Councillor Jim Bickford is aware of this application.