

November 5, 1998

ACS1998-PW-PLN-0014
(Files: OZP1998/003 and
OZM3000/BYRO 565-579)

Department of Urban Planning and Public
Works

Ward/Quartier
OT7 - Kitchissippi

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

Action/Exécution

**Technical Amendment to Zoning By-law Number Z-2K (579 Byron
Avenue and 426 Richmond Road)**

**Modification de forme à l'Arrêté municipal Z-2K sur le zonage (579,
avenue Byron et 426, chemin Richmond)**

Recommendation

That Zoning By-law Number Z-2K be amended from P and C1-c(2.0)[230] to a new C1-c(2.0) exception zone to allow a public parking area and commercial uses for the lands shown on Document 2, be APPROVED, as detailed in Document 3.



November 6, 1998 (10:07a)

Edward Robinson
Commissioner of Urban Planning and Public
Works



November 6, 1998 (10:28a)

Approved by
John S. Burke
Chief Administrative Officer

PB:pb

Contact: Paul Blanchett - 244-5300 ext. 1-3320
Dave Powers - 244-5300 ext. 1-3989

Financial Comment

N/A.


November 5, 1998 (3:05p)

for Mona Monkman
City Treasurer

BH:cds

Executive Report

Reasons Behind Recommendation

A technical amendment to Zoning By-law Number Z-2K is required for these properties due to the receipt of a number of appeals to the *Zoning By-law, 1998*, resulting now in the delay of that By-law's final approval. City Council recently approved a zoning report (ACS1998/1301-55) and amended the zoning for 426 Richmond Road and a portion of 579 Byron Avenue under the *Zoning By-law, 1998*, in order to allow a parking lot and commercial uses for the subject lands. By-law Number 118-98 was enacted on June 3, 1998, to rezone the lands. An appeal was received on this amending by-law and a hearing cannot proceed until a similar amendment is made to Zoning By-law Number Z-2K in order to harmonize Zoning By-law Number Z-2K with the *Zoning By-law, 1998*, for the subject lands. Should an applicant submit development plans prior to the adoption of the *Zoning By-law, 1998*, the most restrictive zoning would apply. In this case, as a portion of the lands are zoned public under Zoning By-law Number Z-2K, the most restrictive zoning would be Zoning By-law Number Z-2K as a public parking area and commercial uses are not permitted. Thus, an amendment to Zoning By-law Number Z-2K is required..

Environmental Impact

A Municipal Environmental Evaluation Report (MEER) was prepared as part of the original rezoning application which indicated that there is no significant environmental impact anticipated as the existing use and operation of the land will not change. Further detail is provided in report number ASC1998/1301-55. This report is on file with the City Clerk.

Consultation

Details of consultation are contained in zoning report number ASC1998/1301-55, which is on file with the City Clerk. Notice of this technical amendment report was provided in local newspapers.

Disposition

Department of Corporate Services to notify the owner, City of Ottawa, Property Services Branch, (Contact: Dave Richardson); the Corporate Finance Branch, Revenue Section, Assessment Control Supervisor; the owner Bourk's Ignition, (426 Richmond Road, Ottawa, Ontario K2A 0G2); Esther Kwavnick (452 Golden Avenue, Ottawa, Ontario. K2A 2E5) and Regional Municipality of Ottawa-Carleton, Development Approvals Division of City Council's decision.

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

Department of Urban Planning and Public Works to prepare and circulate the implementing zoning by-law.

List of Supporting Documentation

- Document 1 - Explanatory Note
- Document 2 - Location Map for Proposed Zoning
- Document 3 - Details of Proposed Zoning

Part II - Supporting Documentation

EXPLANATORY NOTE TO THE PROPOSED BY-LAW

Document 1

The subject properties are located in the Westboro Neighbourhood on the north side of Byron Avenue, south of Richmond Road between Roosevelt Avenue and Golden Avenues as identified on the attached location map. The sites are presently being used for parking and a car service repair establishment. The proposed amendment to Zoning By-law Number Z-2K is for commercial zoning that permits a car service repair, a gasoline pump station and a public parking area. Due to appeals received to the *Zoning By-law, 1998*, an amendment to By-law Number Z-2K is necessary to harmonize the two zoning by-laws during this appeal period where both by-laws apply.

ZONING BY-LAW PROVISIONS

Current Zoning (579 Byron Avenue)

The current zoning is P. The P zone allows public uses, recreation uses and certain municipal infrastructure uses.

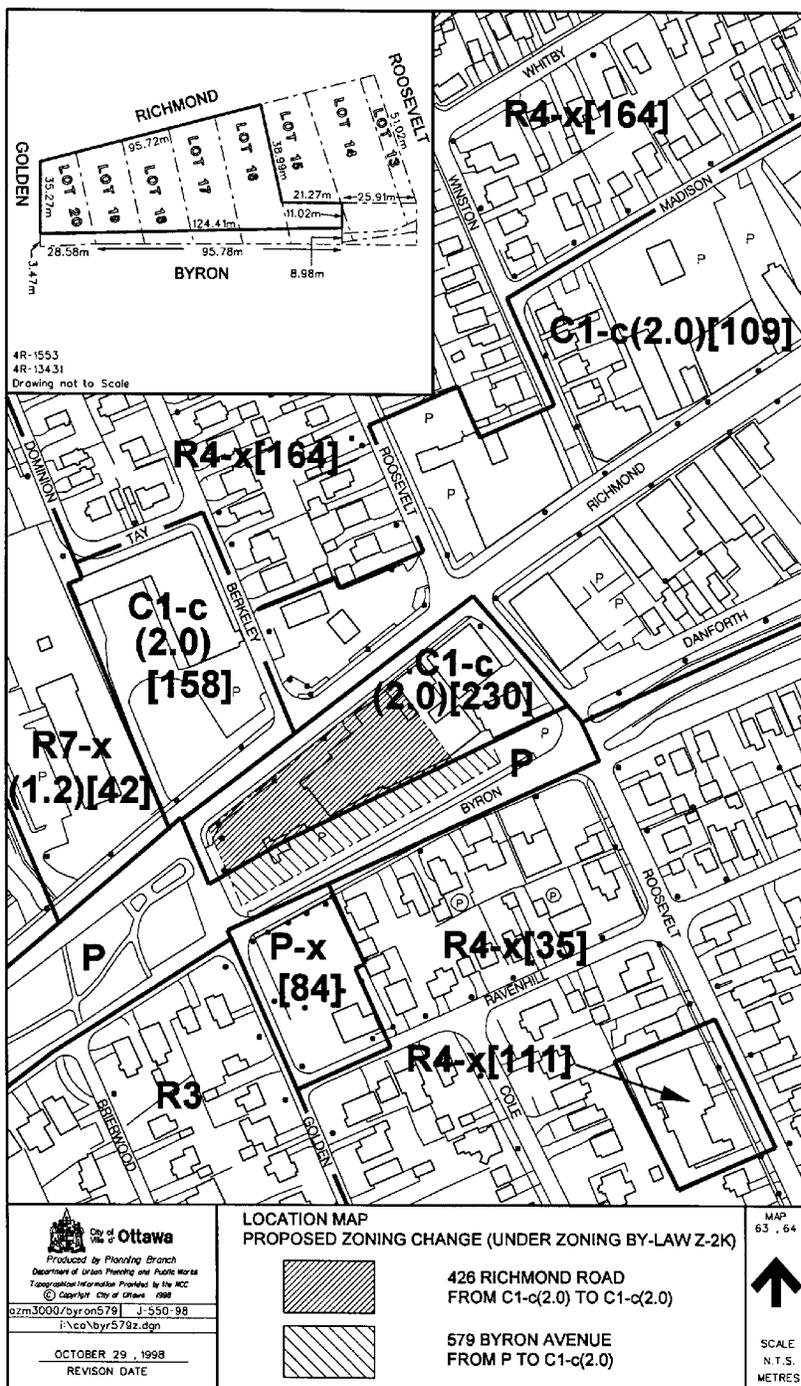
Current Zoning (426 Richmond Road)

The current zoning is C1-c(2.0)[230]. This is a commercial zone which encourages a mix of general commercial and retail uses. The (2.0) denotes a floor space index that allows development up to two times the gross floor area of the lot.

Recommended Zoning (579 Byron Avenue and 426 Richmond Road)

The recommended zone is a new C1-c(2.0) exception zone. This is a commercial zone which encourages a mix of general commercial uses similar to the adjacent commercial zoning in this area. The zone would permit an automobile sales establishment, a public garage, a public parking area and a gasoline pump station.. The (2.0) symbolizes a floor space index which would permit development up to two times the gross floor area of the lot.

For further information on the proposed amendment, please contact David Powers at 244-5300 ext. 3989.



DETAILS OF PROPOSED ZONING

Document 3

The provisions of the C1-c(2.0)[230] zone will apply to the new C1-c(2.0) exception zone, with the addition of the following:

- ! permit an automobile sales area
- ! permit a gasoline pump station
- ! a public garage and a gasoline pump station are only permitted if located on a corner lot
- ! the following uses are only permitted if located above the ground floor;

dwelling unit, laboratory, medical facility, office, rooming house, special needs housing and studio
- ! drive through service is prohibited
- ! minimum width of landscaped area where a yard is required is 3 metres which, which may be reduced to 1.5 metres where a one metre high opaque screen is provided
- ! maximum building height is 18 metres.