

# FOTENN

## 70 BEECH STREET MINOR ZONING BY-LAW AMENDMENT AND SITE PLAN CONTROL



March 11, 2019

Planning Rationale

Site Plan Control +  
Minor Zoning Amendment



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# 1.0 INTRODUCTION

Fotenn Consultants Inc., (Fotenn) have been retained by The Properties Group to prepare a Planning Rationale in support of a Site Plan Control Application and Minor Zoning By-law Amendment Application for the lands municipally known as 70 Beech in the Somerset Ward of the City of Ottawa.

The purpose of the Planning Rationale is to assess how the proposed development achieves and conforms to the objectives of the applicable policy and regulatory framework as well as how it achieves relevant urban design and compatibility objectives to determine if the development is appropriate for the Subject Property.



Figure 1: Beech Street View Looking South East at Proposed Building

# 2.0 SURROUNDING AREA AND SITE CONTEXT

## 2.1 Subject Property

The Subject Property consists of the properties municipally known as 70 Beech Street and 75 Norman Street. The portion of the property fronting Beech Street is legally known as Lots 47 and 48 and part of Lot 46 and the lot fronting Norman Street is legally known as Lot 43, on Registered Plan 194250. For the purposes of this planning rationale, the portion of the subject property fronting Beech Street will be referred to as Part A and that fronting Norman Street will be Part B, as shown in Figure 2.



Figure 2: Survey Plan of the Subject Property.

The lots fronting Beech Street – Part A – are currently occupied by a one-storey automobile body shop and surface parking, as shown in Figure 3. Part A has a frontage of approximately 27.33 metres and a depth of approximately 29.61 metres. The abutting building to the west of the site slightly encroaches on the Subject Property where the westernmost lot line jogs out.



Figure 3: View of the Subject Property from Beech Street.

Part B of the property is occupied by a one-and-a-half storey dwelling which is proposed to be retained, with a hardscaped front yard and a 3.184-metre wide driveway that is shared with the house to the west. The driveway leads to a paved rear yard and concrete block garage. Part B has a frontage along Norman Street of approximately 11.3 metres and a lot depth of approximately 32.8 metres.

## 2.2 Surrounding Context

The Subject Property is located in an evolving neighbourhood defined by the Preston Traditional Mainstreet. The existing built form along Beech Street reflects the street's history as a once thriving light-industrial area; current uses on the street include design offices, entertainment establishments, restaurants and surface parking. Part B of the Subject Property extends into a heterogenous low-rise neighbourhood enclave bounded by Beech, Rochester, Preston and Adeline Streets. The mixed nature of the land uses and building forms in the immediate and larger context of the site is illustrated in Figure 4.

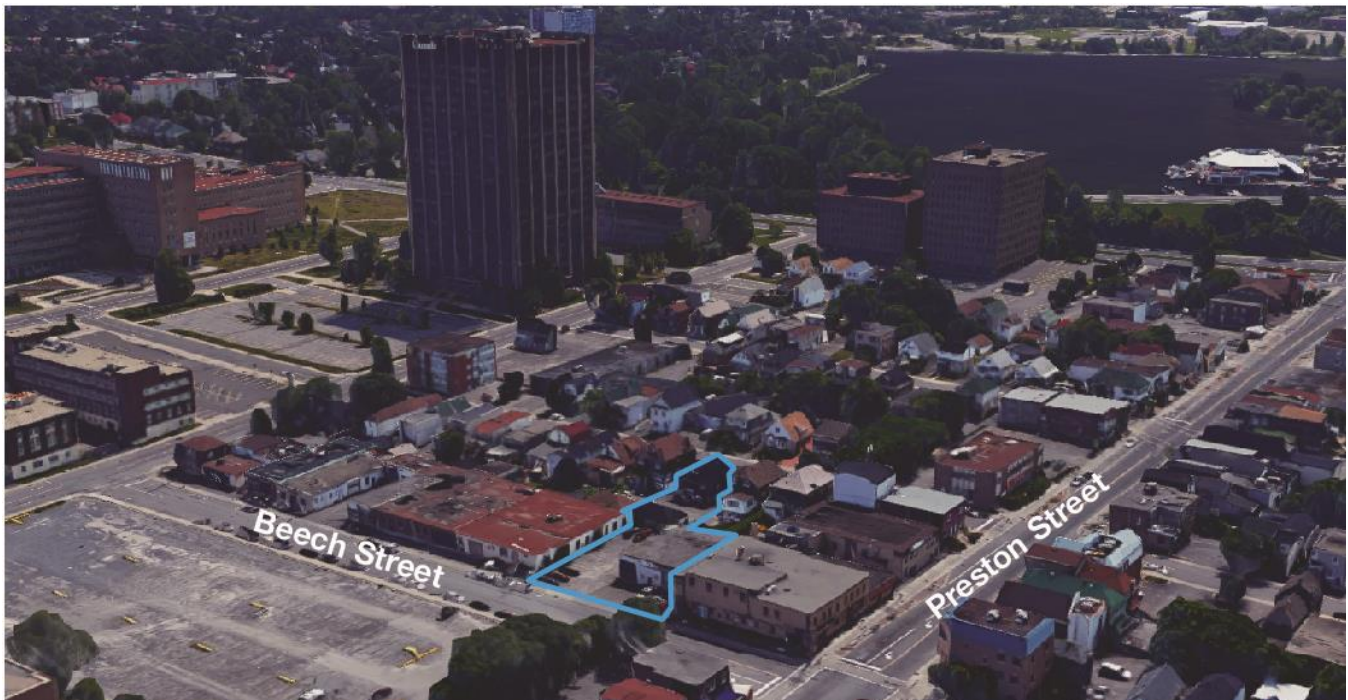


Figure 4: Subject Property in neighbourhood context

The following land uses directly abut the Subject Property, as shown in Figure 5:

- / North: A surface parking lot occupies the entirety of the block facing the Subject Property except for the buildings that front directly onto Preston Street;
- / East: Two attached one-storey buildings containing a virtual-reality arcade and an architectural office are directly east of Block A;
- / South: To the south of Block A, and to the east, west and south of Block B are single-detached dwellings varying from 1.5 to 2.5 storeys; and
- / West: Directly west of Block A is The Prescott restaurant and bar, informally recognized as an important cultural/historical landmark in the area.

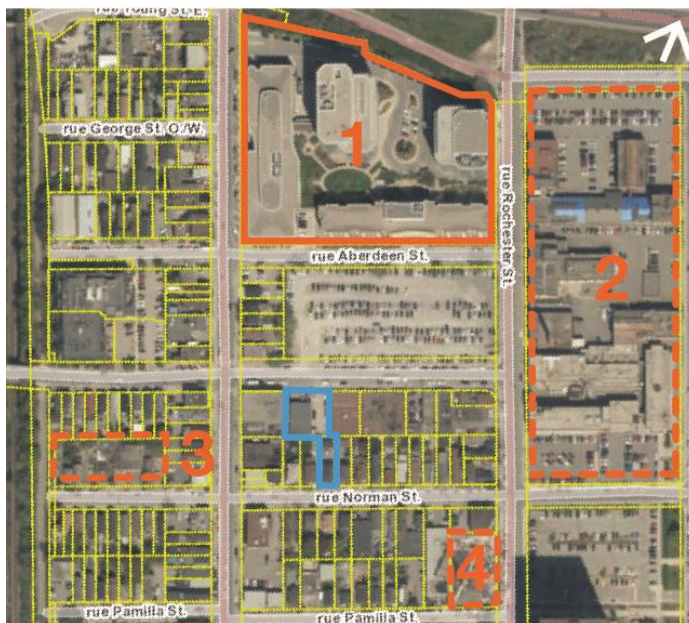
The Subject Property has a strong relationship to the Traditional Mainstreet condition of the Preston Street / Beech Street intersection. Two and three-storey mixed use buildings frame this intersection. The Subject

Property is well-served by commercial amenities along Preston Street and throughout the neighbourhood.



Figure 5: Land Uses in Immediate Proximity to the Subject Property

Significant changes to the surrounding land-uses have been made and are proposed in the site's larger context. Figure 6 shows the location of proposed development projects outlined in orange.



1. New 24-storey building and a one-storey addition to existing mid-rise at 17 Aberdeen Street, Site Plan and Plan of Condominium approved.
2. Zoning By-law amendment to permit redevelopment of the former NRCan Booth Street campus by the Canada Lands Company to a mixed-use community with buildings up to 24 storeys. Application recently approved by Planning Committee.
3. Residential mid-rise building at 93-105 Norman Street, approved.
4. Official Plan Amendment (2014) permitting 18-storey mixed-use building at 514-532 Rochester Street. Construction almost completed.

Figure 6: Proposed and Approved Development in the Vicinity of the Subject Property.

### 2.3 Road, Transit and Cycling Network

The property fronts on two (2) local roads, Beech Street and Norman Street, as designated on Schedule E of the Official Plan. The site is well connected to the existing and planned cycling network as well as the existing and planned transit network.

Figure 7, excerpted from Schedule D of the Official Plan, shows the site in relation to existing and planned transit. The site is a 550 metre, 7-minute walk, from the Carling Station of the Trillium LRT Line. Following the Trillium Line alignment is an existing multi-use pathway that connects to Ottawa's larger cycling and active transportation network. Future cycling spine routes on Carling Avenue and Rochester Street will strengthen the site's connections to this network.

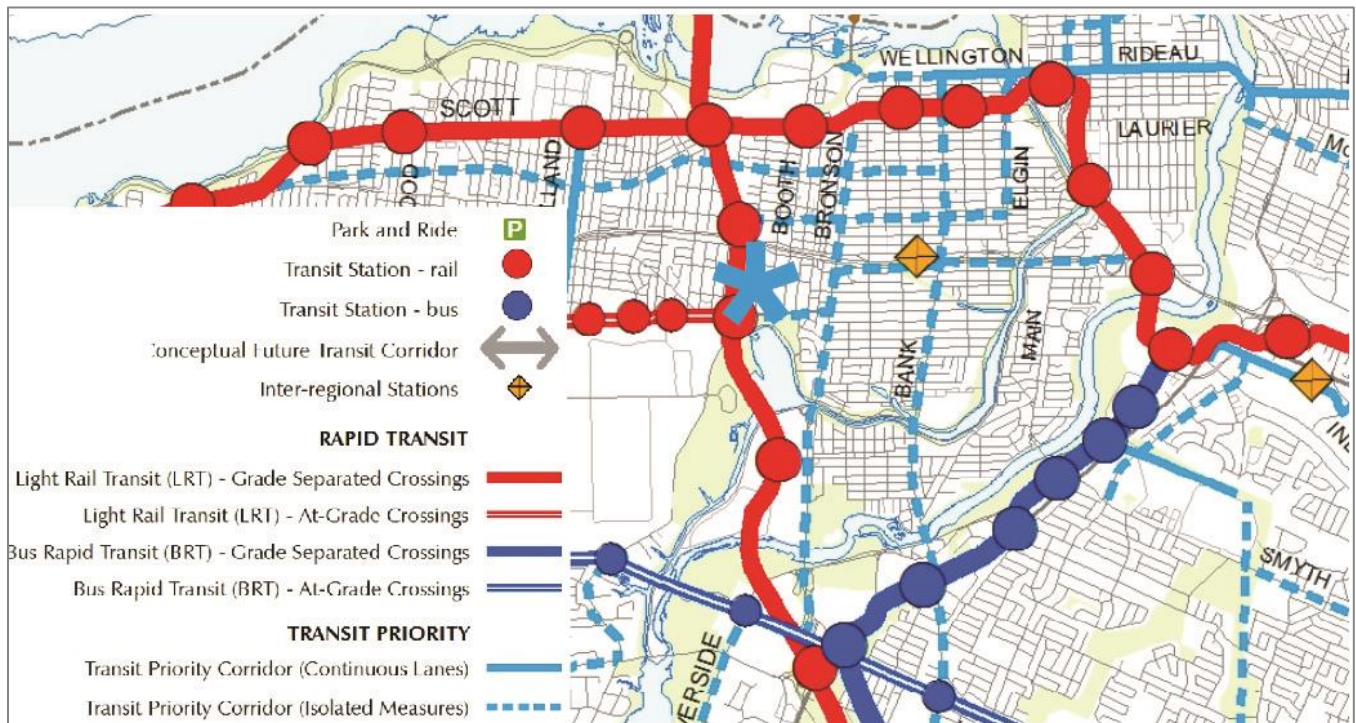


Figure 7: Planned Transit Network.

The Subject Property is very well positioned with regards to existing cycling, transit and pedestrian infrastructure and relatively well positioned with regards to vehicular access. Planned investment in transit and cycling infrastructure will augment the excellent existing systems, significantly improving mobility options over time.



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## 3.0 PROPOSED DEVELOPMENT

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### 3.1 Proposed Development

The proposed development is a 6-storey mixed-use building with commercial uses on the ground floor. Five (5) storeys of residential are proposed above, consisting of forty (40) one-bedroom rental apartments. A front and rear lobby will provide access to the residential portion of the building and the basement, including bicycle parking and storage lockers, via a stairwell and elevator. Rooftop terraces and an enclosed rooftop gym provide residential amenity area. It is proposed to demolish the existing one-storey automobile body shop use to accommodate this development.

Improvements to the Beech Street frontage and public right-of way are also being proposed, including a 2.0 metre sidewalk. The area between the sidewalk and the building frontage will be surfaced with concrete pavers, and four (4) street trees with covered grates are to be planted.

The entire portion of the proposed building will be located on Part A of the Subject Property, as shown on Figure 8. While no construction is proposed for Part B of the property, it is intended to demolish the existing concrete block and vinyl-sided garage to provide five (5) parking spaces, servicing access and secondary access to the proposed development.

In order to proceed with the development, a Minor Zoning By-law Amendment and Site Plan Control Application is being submitted. The proposed Amendment adjusts several performance standards, including rear-yard setback, side-yard setback and rear-yard angular plane. The application also seeks a provision authorizing an enclosed rooftop amenity area of 185 square metres as a permitted projection that will not be included in the overall height of the building. Additionally, although 5 parking spaces will be provided on Part B, as shown in Figure 8, a reduction in visitor parking to 0 is requested, in order to maintain future severability of the two lots.

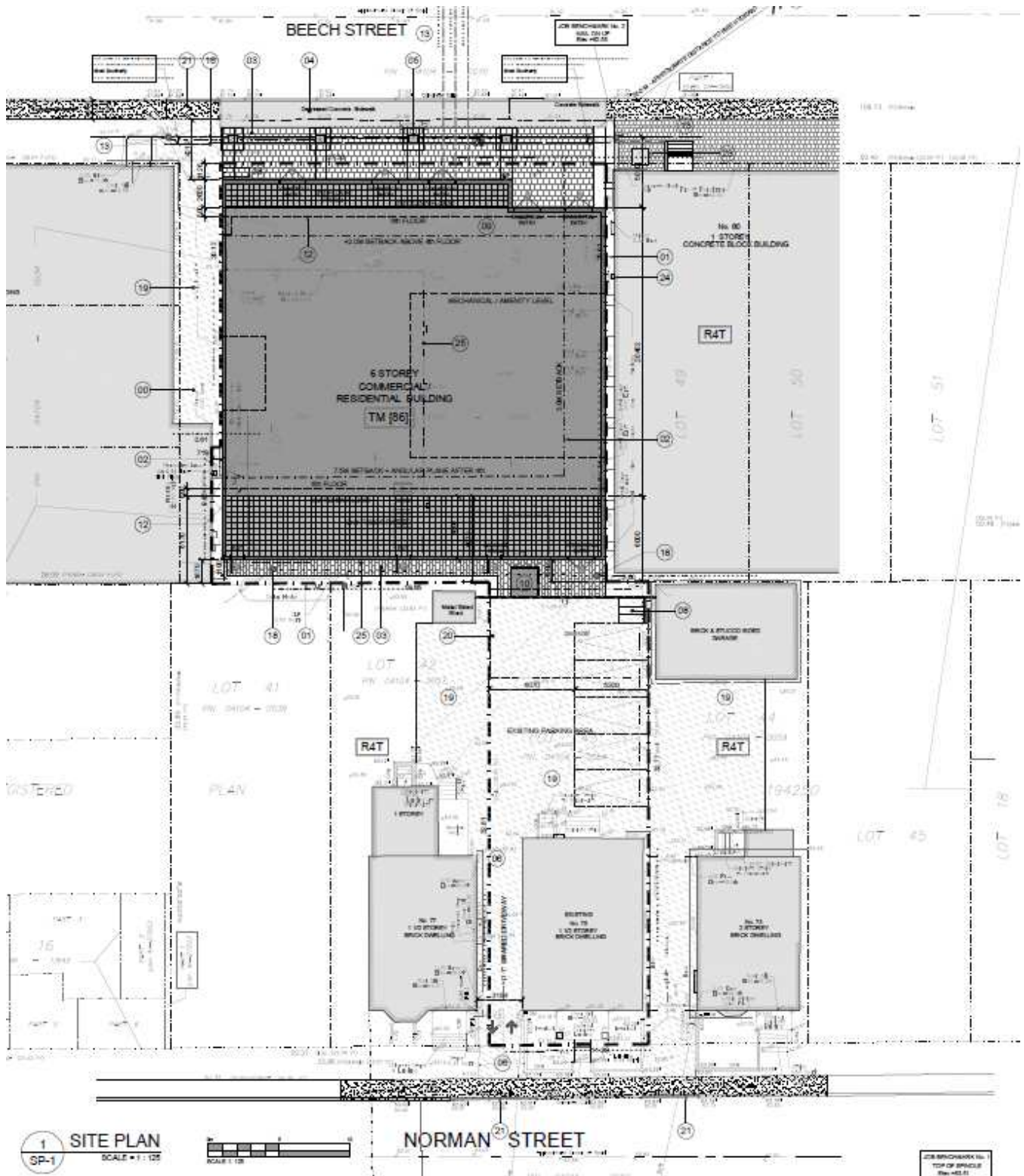


Figure 8: Site Plan showing the Proposed Development.

## 4.0 POLICY AND REGULATORY FRAMEWORK

### 4.1 City of Ottawa Official Plan (2003, as amended)

In 2013, the City of Ottawa reviewed its Official Plan which resulted in numerous changes to policy references and to land use designations. Most recently, Ottawa City Council adopted Official Plan Amendment (OPA) 150 to implement the changes as part of the 5-year comprehensive review. OPA 150 was approved by the Ministry of Municipal Affairs and Housing (MMAH) in April 2014, with appeals. For the purposes of this Planning Rationale, the policies of the City of Ottawa Official Plan 2003 (consolidated May 2013) have been reviewed and analyzed for the proposed development. In addition, any relevant policies of OPA 150 have also been taken into consideration.

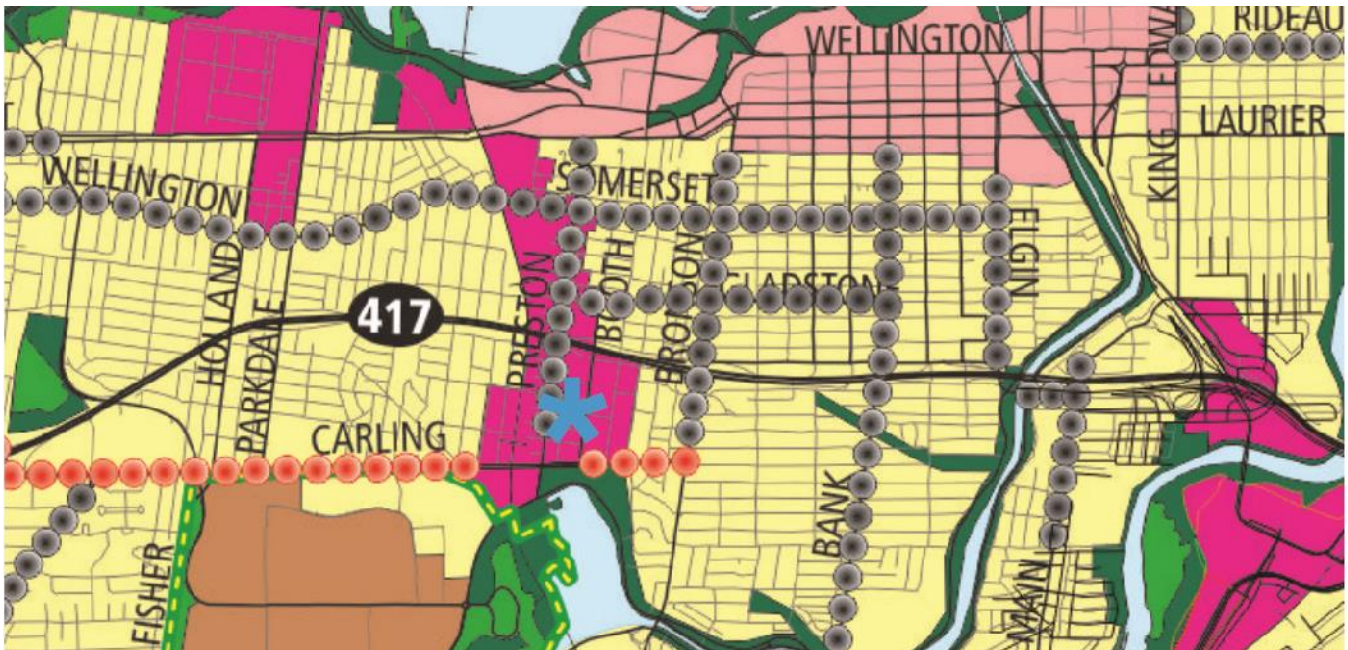


Figure 9: Urban Policy Designations, extracted from Schedule B of the Official Plan

As shown in Figure 9 and clarified by the Secondary Plan, the Subject Property is within the Mixed-Use Centre designation and in proximity to the Traditional Mainstreet designation along Preston Street, indicated by the grey dotted line. Although generally speaking, the Traditional Mainstreet designation only applies to properties with frontage along a designated Traditional Mainstreet, Policy 3 of Section 3.6.3 as amended by OPA 150 states that “The boundary [of the designation] may also be varied, depending on site circumstance and lot configuration. For instance, it may also include properties on abutting side streets that exist within the same corridor. A secondary plan may specify a greater or lesser depth.” Part A of the Subject Property is clearly designated as a Mainstreet by the Secondary Plan, and is also zoned Traditional Mainstreet, indicating that it is appropriate to interpret Part A of the Subject Property as within the Traditional Mainstreet designation. Traditional Mainstreets are intended to function as a mixed-use corridor that provisions a range of goods and services for neighbouring communities, and redevelopment and infill that optimises these functions are encouraged.

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Part B of the Subject Property is within the Mixed-Use Centre designation, highlighted in hot pink. Mixed-Use Centres are strategic locations near rapid transit that act as focal points of activity. They are planned to accommodate a broad variety of uses and significant intensification to meet ambitious target densities as set out in Policy 6 of Section 2.2.2 of the Official Plan.

The target density given in Figure 2.3 in Section 2.2.2 of the Official Plan for the Bayview-Preston Mixed-Use Centre is 200 people and jobs per hectare – roughly a doubling of the 2012 density.

**The proposed development will help the Bayview-Preston Mixed-Use Centre achieve the target densities set out in the Official Plan, while enhancing the character and function of the Planning Area and the Preston Traditional Mainstreet through the addition of new residential and commercial uses in a street-oriented, mid-rise and mixed-use building.**

#### **4.1.1 Section 3.6.3 – Mainstreets**

The Traditional Mainstreet designation is a stand-alone designation that applies to properties fronting on the Mainstreet, and to Part A of the Subject Property as clarified by the Preston-Carling District Secondary Plan.

As such, it is an important part of the corner condition for the Traditional Mainstreet. Therefore, the Official Plan specifies that development shall be pedestrian- and transit-oriented, mid-rise in form, and not include parking between the building and the street.

**The above elements have closely shaped the proposed design. The proposed Site Plan and building design maximize the density on the Subject Property while enhancing a pedestrian-friendly environment and appropriate transition to residential zones to the rear of the building.**

Policy 10 of Section 3.6.3 supports redevelopment and infill in a manner that optimizes the use of land in a building format that encloses and defines the street edge and provides pedestrian access to the street. This policy was amended through OPA 150 to specify that buildings shall have active street frontages.

As per Policy 5 of Section 3.6.3, a broad range of uses are permitted on Traditional Mainstreets. Retail, service commercial and residential uses are among the contemplated uses and may be accommodated in a mixed-use building. Policy 9 requires a minimum building height equivalent to a two-storey building. In general, new development on Traditional Mainstreets will be evaluated based on Sections 2.5.1 and 4.11 of the Official Plan as well as any applicable design guidelines.

**The proposed development contains permitted uses, creates a built form that respects the minimum and maximum height policies of the Traditional Mainstreet designation, and generates an active street frontage by adding a mixed-use building close to the street.**

#### **4.1.2 Section 3.6.2 – Mixed-Use Centres**

Part B of the Subject Property is designated as a Mixed-Use Centre, as are the flanking properties which abut the rear of Block A. The Official Plan policies for this designation emphasise the importance of redevelopment, infill and intensification. Specifically, Mixed-Use Centres “are a critical element in the City's growth management strategy, being areas with potential to achieve high densities and compact and mixed-use development oriented to rapid transit.”

**It is important to highlight that no new construction is proposed for the part of the lot designated Mixed-Use Centre; however, the proposed medium-density, mid-rise development on Part A of the lot is a compatible neighbour to the Mixed-Use Centre designation, and helps to achieve the City's growth management strategy.**

### 4.1.3 Section 2.5.1 – Urban Design and Compatibility

The Official Plan provides guidance as to how to appropriately incorporate new development into already built-up areas. Compatible development is development that enhances and coexists with existing development without causing undue adverse impacts. It does not mean development that is the same as or similar to existing neighbouring buildings.

Section 2.5.1 lays out the design objectives which are broad statements intended to influence the way the built environment matures and evolves. The proposed development contributes to the City's applicable design objectives as follows:

/ **To enhance the sense of community by creating and maintaining places with their own distinct identity**

The ground floor of the building has a strong relationship to the street created by a transparent but visually engaging façade that references the street's light industrial history and built heritage. The small-scale retail pattern on Preston Street is echoed by the three materially delineated "storefronts" on the ground floor of the proposed building.

/ **To define quality public and private spaces through development**

The proposed commercial façade and entrances will be placed as close to the street as is possible, given the required hydro setback, to create a consistent street frontage and enliven the pedestrian experience. The residential entrance is set slightly further back, subtly delineating the shift to private spaces.

/ **To create places that are safe, accessible and are easy to get to and move through**

The mixed-use nature of the development proposal ensures more "eyes on the street" throughout the day, while the provisioning of denser commercial and residential space in a location well served by active transportation and transit increases use of alternative transportation modes.

/ **To ensure that new development respects the character of existing areas**

Paying tribute to the industrial heritage of the street, the materials and massing of the proposed ground floor façade are subtly reminiscent of warehouse and garage entrances, while offering a transparent, friendly pedestrian experience.

/ **To consider adaptability and diversity by creating places that can adapt and evolve easily over time and that are characterized by variety and choice.**

The proposed ground floor commercial space will have the potential to be separated into three distinct units, either during initial construction or, potentially, through a later renovation. Additionally, the ground floor is designed with 4.8-metre tall ceilings. This flexibility will make the space useful and adaptable for a range of tenants over the building's lifespan.

The property is within the Preston/Champagne Mixed-Use Centre Design Priority Area and is thus subject to review at the Urban Design Review Panel.

### 4.1.4 Section 4.11 – Urban Design and Compatibility

Section 4.11 of the Official Plan provides direction for urban design and compatibility. Policy 2 of this section identifies the following areas in which new development must be compatible with the surrounding community.

<b>Traffic</b>	Minimal traffic is expected to be generated by this development, as no parking is proposed on Part A of the lot, and only five (5) parking spaces will
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	be provided on Part B (whereas three are currently provided). Visitors and residents are expected to access the proposed development primarily through active transportation modes and transit.
<b>Vehicular Access</b>	No new vehicular access is proposed to the Subject Property. Existing access off Norman Street to five (5) proposed parking spaces will be maintained.
<b>Parking</b>	Given the site's extremely strong transit connections, the Zoning By-law recognizes that no parking is required for residents or commercial uses. A reduction to 0 of the visitor parking required by the by-law is requested; however, five (5) spaces of visitor/commercial parking will be provided on Part B of the Subject Property over the short term.
<b>Loading, Service Access and Storage</b>	No loading areas are required or proposed for the building; storage and waste management is proposed inside the building and can be accessed from both the rear and front of the building.
<b>Outdoor Amenity Areas</b>	The existing building setback from private backyard amenity space for the two lots to the rear (south) of Part A will be maintained, and an additional stepback of 4.5 metres above the first storey will further mitigate overlook and privacy concerns.
<b>Lighting</b>	No exterior lighting is proposed; lighting at the front and rear entrances will be designed to minimize light spill onto adjacent properties.
<b>Noise and Air Quality</b>	A traffic noise study conducted by Gradient Wind Engineering in January 2019 found that noise impacts from traffic on the proposed sensitive uses could be adequately mitigated, subject to identified mitigation measures.
<b>Sunlight</b>	A shadow study prepared by RLA Architecture shows that the development will not create shading impacts on the abutting amenity areas to the south.
<b>Microclimate</b>	The development is not anticipated to generate significant microclimate impacts.
<b>Supporting Neighbourhood Services</b>	The proposed development creates additional ground-floor commercial space, expanding an existing vibrant commercial corridor. Provision of 40 residential dwelling units will support existing and proposed commercial services in the neighbourhood.

**The proposed uses are compatible with existing uses; the building and site design reflect the history and character of the neighbourhood with regards to setbacks, stepbacks and the streetscape experience; and the increased density supports the area's existing and planned function.**

## 4.2 Preston Carling District Secondary Plan

The Secondary Plan sets out a strong vision for Preston-Carling as an area that will welcome significant residential and employment intensification while maintaining its cultural identity and human scale. The neighbourhood's mainstreets, including Beech and Preston, have an important role to play in welcoming new residents, creating new places of employment and commercial amenities, and reinforcing a walkable, engaging public realm. All new development within this district is subject to review by the Urban Design Review Panel.



Figure 10: Schedule A of the Preston-Carling District Secondary Plan Indicating Land Uses on the Subject Property

The following designations from the Secondary Plan apply to the Subject Property.

#### 4.2.1 Mainstreet Corridors (Section 4.1.4)

This designation applies to Part A of the Subject Property, as shown in Figure 10. Beech Street is intended to be a commercial link between the O-Train, Preston Street and the redeveloped Booth Street NRCan complex. A broad range of uses are permitted, and mixed-use, midrise buildings are encouraged. The designation specifies a maximum height of 6 storeys, and states that commercial and other active frontages will be required along Beech Street.

**The proposed development is mixed-use, 6 storeys in height, and proposes active frontages along Beech Street.**

#### 4.2.2 The Mixed-Use Neighbourhood – “Little Italy” (Section 4.1.5)

This designation applies to Part B of the Subject Property and the flanking properties. This designation encompasses a mixed-use neighbourhood known as “Little Italy” and seeks to enhance its existing liveable, eclectic and family-friendly character while supporting low-rise intensification through sympathetic infill. Developments in the Mixed-Use neighbourhood designation are not subject to the minimum density targets established for the Bayview-Preston area in Section 2.2.2 of Volume 1 of the Official Plan. Low-rise mixed-use developments are encouraged in this area.

**No additional structures are proposed for this portion of the Subject Property; the existing low-rise residential dwelling will remain and residential streetscape will be maintained.**

#### 4.3 Urban Design Guidelines for Development along Traditional Mainstreets.

The development is subject to the Urban Design Guidelines for Development along Traditional Mainstreets. These guidelines were developed to provide guidance for development design in areas along Traditional

Mainstreets. The proposed development has been closely shaped by these guidelines and responds to the following applicable guidelines:

- / Aligns the proposed development to create a visually continuous streetwall (Guideline 1);
- / Provides small setbacks in the streetwall to indicate private versus public entrances and to create visual interest (Guideline 4);
- / Design is of a high quality and rich in architectural detail that respects and references the history of the street, and pedestrian-level façade is substantially transparent (Guidelines 8 and 11);
- / Building creates close to a 1:1 ratio with Right-of-Way width to create appropriate street section, while using setbacks to achieve a human scale (Guidelines 10 and 12);
- / Residential units are accessed by a clearly visible shared entrance and located above the level of vehicular traffic (Guideline 13);
- / Shares vehicular access to parking areas with properties to the rear to minimize interruptions to the streetscape on Beech Street (Guidelines 22 and 23); and
- / Encloses utility equipment and storage within the building (Guideline 38).

#### 4.4 City of Ottawa Zoning By-law 2008-250

The proposed 6-storey mixed-use building is located entirely within the Traditional Mainstreet [Exception 86] Zone (TM[86]) on Part A of the property. It is proposed to provide 5 parking spaces as well as municipal waste collection and secondary residential access over the short term across Part B of the property. Part B is zoned Residential 4<sup>th</sup> Density, Subzone T (R4T). While alterations to both parts of the property are contemplated as part of this application, the intent is to ensure that the proposed Site Plan and Zoning Amendment will not preclude future development of Part B of the property. Relief from several zoning provisions, particularly minimum visitor parking rates, will be requested to maintain future severability.

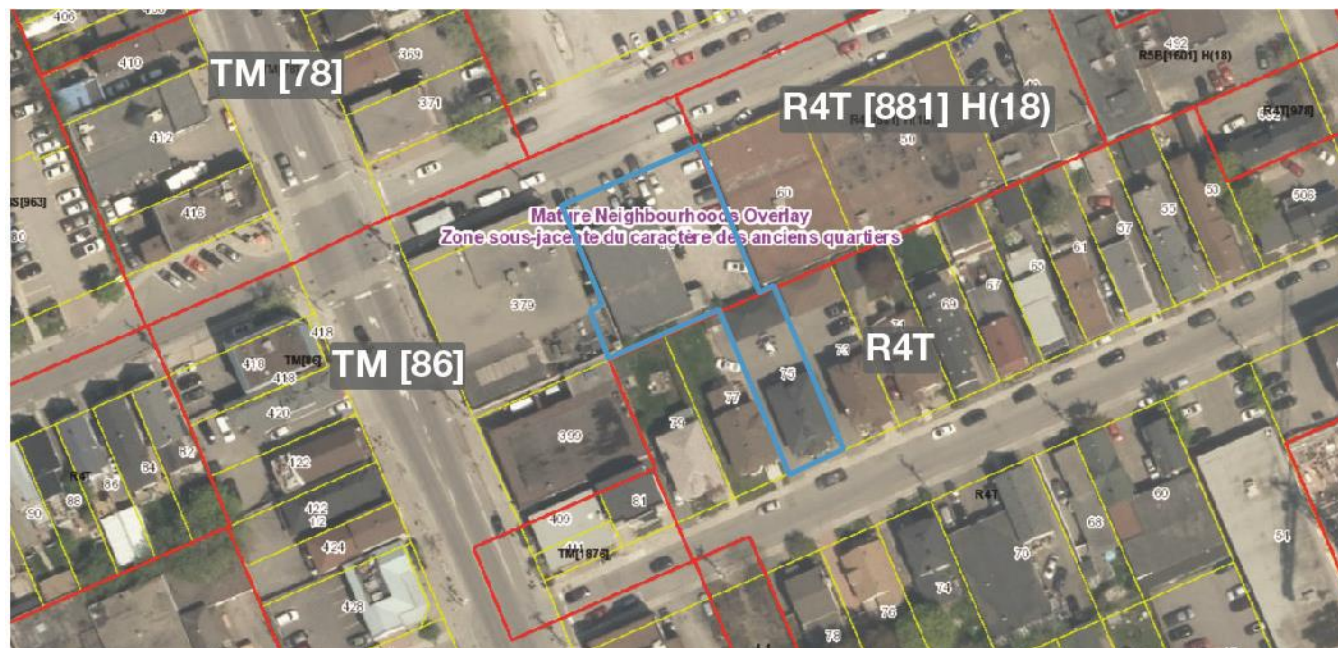


Figure 11: Existing Zoning for the Subject Property and Surrounding Area



#### 4.4.1 Main Building – Traditional Mainstreet Zone

The intent of the Traditional Mainstreet Zone is to foster and promote compact, mixed-use, pedestrian-oriented development by accommodating a broad range of uses in mixed-use buildings. The proposed uses are permitted in the zone.

Due to the specific nature of Traditional Mainstreets and the intent of the zone and Exception zone, further provisions specify where and how these uses can co-locate:

- / Residential, office and R&D centres cannot be within 6 metres of the frontage on the ground floor (Sec. 197 (1b));
- / Lots larger than 603 square metres must be developed as mixed-use, with commercial uses occupying less GFA than residential uses [Exception 86];
- / The main street façade must include minimum one active entrance serving each ground floor use (Sec. 197 (13)).

This proposal includes 484.4 square metres of commercial space on the ground floor, and a residential GFA of 2,199.4 square metres. One, two or three separate tenants are possible for this commercial space, each with a separate entrance and separated by a party wall. The following uses are permitted uses for the ground floor:

- / Restaurant,
- / Retail food store,
- / Retail store,
- / Personal service business, and
- / Service and repair shop.

Each of these uses is permitted to be located on the ground floor and within three (3) metres of the front of the building. While the final tenants have yet to be confirmed, the uses will comply with the Zoning By-law.

The existing zoning provisions for the TM[86] zone are summarized in the table below:

Provision	Requirement	Provided	
<b>Minimum Lot Area</b>	No minimum	1,187 m <sup>2</sup>	✓
<b>Lot use</b>	Lots ≥ 603 m <sup>2</sup> must be mixed use, commercial GFA must not exceed residential GFA	Commercial GFA: 484 m <sup>2</sup> Residential GFA: 2,199 m <sup>2</sup>	✓
<b>Minimum Lot Width</b>	No minimum	27.5 m	✓
<b>Maximum Front Yard Setback</b>	2m, 5m for the portion affected by the hydro power line	1.1m	✓
<b>Interior Side Yard Setback</b>	Abutting R zones: Minimum 3 m Other cases: Maximum 3 m, minimum 0 m	East: <b>0 m</b> West: 0 m	✗
<b>Minimum Rear Yard Setback</b>	7.5m	<b>1.5 m</b>	✗
<b>Façade</b>	50% of ground floor façade up to 4.5 m should be windows and active entrances.	70%	✓

<b>Active Entrances</b>	Must include at least 1 active entrance per ground floor use	Up to 5 entrances	✓
<b>Building Height</b>	min: 6.7 m for front 20 m. of lot (Ss 197(5)) max: 20m or 6 storeys	6 storeys ( <b>21.3 m</b> )	✗
<b>Stepbacks (front)</b>	Additional 2 m above 4 storeys (15 m)	2 m at 2 <sup>nd</sup> floor	✓
<b>45° Rear-yard angular plane</b>	Projects upward towards front from height of 15 metres, 7.5 metres from the rear lot line (where rear lot line abuts R1-4 zone)	<b>Not provided</b>	✗
<b>Permitted Projections</b>	Access structures (max height 3 m, max area 10.5 m <sup>2</sup> ) Mechanical room Rooftop terrace	<b>53 m<sup>2</sup></b> enclosed amenity area	✗
<b>Maximum FSI</b>	No maximum	N/A	✓
<b>Minimum Width of Landscaped Area</b>	Abutting R zones: 3m (1m with 1.4 m fence) Other cases: 0 m, yard must be landscaped	E: <b>0 m</b> (R4) W: 0 m	✗
<b>Amenity Area Requirements</b>	6m <sup>2</sup> per dwelling unit: 6*40 = <b>240m<sup>2</sup></b> Min 50% communal and aggregated into areas up to 54m <sup>2</sup> : <b>120m<sup>2</sup></b>	Rooftop terrace: 179.5 m <sup>2</sup> Interior rooftop: 53 m <sup>2</sup> Private patios: 134.4 m <sup>2</sup> Total: 367 m <sup>2</sup>	✓
<b>Bicycle Parking Spaces</b>	1/250m <sup>2</sup> of GFA (retail) = 2 0.5/ dwelling unit = 20 <b>22 total spaces</b>	52 (basement)	✓
<b>Loading Spaces</b>	0	0	✓
<b>Storage &amp; Waste</b>	Must be entirely enclosed in building	Within building	✓
<b>Access to waste storage (R4 zone)</b>	Path for garbage containers between the storage area and street line must be hard landscaped/paved, min 1.2 m wide, unobstructed to a height of 1.5 m, with utility/vent encroachments of max 0.3 m.	3.1 m pathway to Norman Street Clear internal hallway from garbage room to Beech Street entrance	✓

#### 4.4.2 Secondary Building – Residential Fourth Density Zone

Portion B of the property is located in Fourth Density Residential – Subzone T (R4T). It is proposed to demolish the existing concrete-block garage at the rear of this lot and provide parking, service access and secondary residential access via this lot. No changes are proposed to the detached house.

#### 4.4.3 Parking Requirements

The parking requirements for this project in the Zoning By-law are summarized below:

Provision	Requirement	Provided	
<b>Vehicle Parking Spaces (Area Z)</b>	Minimum: <b>0</b> Maximum: 1.75/du @ 40 + 3.6/100m <sup>2</sup> GFA @ 517 m <sup>2</sup> GFA = 70+ 18.6 = <b>89</b>	0 (on Part A)	✓
<b>Visitor Parking</b>	0.1/dwelling unit after 12 units: <b>4</b>	<b>0</b> (on Part A)	✗
<b>Parking location</b>	(Table 197): may be located on any lot in the same city block	5 spaces (on Part B)	✓
<b>Driveway width</b>	> 20 spaces: min. 3 m	3.184 m (on Part B, shared with neighbour)	✓
<b>Landscape buffer</b>	Lots < 10 spaces: 0 m unless facing street.	None required	✓
<b>Aisle widths</b>	6.7 m for 90° parking	<b>6.07 m</b> (on Part B)	✗

#### 4.4.4 Requested Amendments to the Zoning

In order to permit the proposed development, the following zoning amendments are requested for the Part A of the subject property, which is zoned TM[86]:

- / An increase in permitted height to 21.3 metres, whereas the Zoning By-law permits a maximum height of 6 storeys, but no greater than 20 metres;
- / To permit a 53 square metre enclosed rooftop amenity area as a permitted projection, whereas the Zoning By-law does not include enclosed amenity area as a permitted projection;
- / A reduction of the required rear-yard setback to 1.5 metres, whereas the Zoning By-law requires a rear yard setback of 7.5 metres;
- / Relief from the angular plane provision set out in Section 197, Table 197 (g) (ii) (3) of the Zoning By-law, which requires that no part of the building projects beyond a 45° angular plane projecting upwards and towards the front of the lot, measured from a point 15 metres in height and set back 7.5 metres from the rear lot line;
- / A permitted side yard setback of 0 metres on the eastern property line, whereas the Zoning By-law requires a 3-metre setback adjacent to residential zones;
- / A required landscaped buffer of 0 metres on the eastern property line, whereas the Zoning By-law requires a landscaped buffer of 3 metres abutting a residential zone; and
- / Reduction of the required visitor parking to 0 spaces, whereas the Zoning By-law requires 4 visitor parking spaces.

Relief from the following zoning amendment is requested for the portion of the property zoned R4T:

- / Reduction of the required parking aisle width to 5.9 metres on Part B of the property (existing condition), whereas the Zoning By-law requires a minimum aisle width of 6.7 metres.

The rationales for the proposed zoning amendments are as follows.

#### Increased Height

The existing zoning permits a maximum height of 6 storeys and 20 metres in height. The proposed development is 6 storeys in height and 21.3 metres in height. The additional height is due to taller ground

floors and two taller residential floors, improving the liveability of the units. The additional permitted height will have a minimal impact on shadowing, overlook and streetscape experience while increasing the developments adaptability.

### **Rooftop Amenity Area**

The provision of additional amenity area in the form of a rooftop gym is proposed, whereas enclosed amenity area is generally not considered a permitted projection by the Zoning By-law and the permitted height of the development is capped at 6 storeys. The proposed gym will provide high-quality amenity space to residents that is functional throughout the year.

In terms of urban design and impact, the proposed enclosed amenity space will be integrated with the existing rooftop access and mechanical room. It will be limited in height to 3 metres and set well back from the front and rear of the building, minimizing its visual impact on the streetscape experience and amenity space to the rear of the building. Functionally, outdoor rooftop amenity space is already permitted by the Zoning By-law; the proposed amendment will extend the functionality the rooftop amenity space throughout the year.

Drawing on the wording recommended by staff for an enclosed amenity area projection at 93-105 Norman, the following wording for the exception zone is proposed:

- / Permitted projection related to a rooftop amenity area: (i) to a maximum height of three metres is not included in the overall height of the building, (ii) has a maximum gross floor area of 185 square metres.

### **Reduced Rear Yard Setback and Elimination of Angular Plane**

The Minor Zoning Amendment application for 70 Beech Street requests relief from the Angular Plane provision in Section 197, Table 197 (g) (ii) (3). Additionally, the application requests that the required 7.5-metre setback be reduced to 1.5 metres. The intention of these provisions is to protect amenity areas on adjacent lots abutting the rear lot line from privacy, overlook and shading-related impacts

The proposed development mitigates potential impacts on its residential neighbours in several ways. First, the proposed setback is slightly increased from the existing building's setback, from 1.35 m to 1.6 metres. Above the first storey, the building is stepped back from the rear yard lot line about 6.1 metres – close to the 7.5 metre setback requirement. Shadowing impacts to the abutting residential properties are not anticipated, as the proposed building is located to the north.

Concerns about adverse impacts must be weighed against the clear, strong directions in the Official Plan and the Preston-Carling Secondary Plan to encourage intensification along Mainstreets and in Mixed-Use Centres. While the lots to the south of the property are residential, they are located in the eclectic and heterogenous “Little Italy” neighbourhood, which is designated as Mixed-Use Centre in the Official Plan – one of the designations targeted for significant intensification. The Preston-Carling Secondary Plan seeks to protect and enhance this neighbourhood character, but that must not occur at the expense of the vibrancy of mainstreets.

The requested Zoning Amendment respects the intent of the Official Plan, Secondary Plan and Zoning By-law to protect existing neighbourhoods by limiting and mitigating impacts on adjacent uses, particularly abutting rear-yard amenity areas, while enabling the proposed development to respond to the clear policy directions in the Official Plan and Preston Carling District Secondary Plan to encourage intensification and vibrancy on mainstreets.

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### **Side Yard Setback and Elimination of Landscape Buffer**

The side yard setback requirement for this zone is typically 0 metres. Only where the side lot line abuts a residential zone or where the proposed building is entirely residential does the 3-metre side yard setback apply. In this case, this 3-metre setback must be provided as a landscaped buffer.

In the case of this property, the abutting lot to the east is zoned Residential Fourth Density – Subzone T, with a site-specific height limit of 18 metres and a site-specific exception ([881]) that permits light industrial and storefront industry uses. Accordingly, while the R4 zoning of the eastern abutting lot triggers the 3-metre side yard setback requirement, the site-specific provisions for the abutting lot bring the as-of-right permissions, both in terms of uses and in terms of permitted height, much closer to a TM zone. Permission for light industrial and storefront industry uses on this lot conform with the Secondary Plan's designation of Beech Street as Main Street and reflect the street's light-industrial history. This abutting lot is also currently used as a virtual-reality arcade, not as a residential use.

Given the current use and the zoning exceptions on the abutting lot to the east, a Minor Zoning Amendment to reduce the required 3-metre setback to 0 metres is appropriate and would allow site development to better conform to the Official Plan and Preston-Carling Secondary Plan.

### **Reduction of Visitor Parking Requirements**

While four (4) visitor parking spaces and one (1) commercial parking space will be provided on Part B of the lot in the short term, a zoning amendment to reduce the required visitor parking from 4 spaces to 0 is requested. This amendment will ensure that flexibility is built into the zoning of the development, allowing Part B of the lot to be severed in the future. A reduction of 4 visitor parking spaces is in keeping with the intent of the Official Plan and the policies of the Preston-Carling Secondary Plan.

First of all, the proposed building provides bicycle parking at over twice the rate required in the zoning by-law. Four (4) at-grade bicycle parking spaces and 52 internal bicycle storage spaces are proposed, whereas the by-law only requires 22. This meets and exceeds the objectives of the Official Plan and the Secondary Plan to encourage active travel modes.

Second, the Preston-Carling Secondary Plan states that parking will be conveniently located on the street. Currently two-hour street parking is provided on Beech Street but cannot be accommodated in front of the Subject Property due to the site's current use as an auto-body shop. Since no driveway or automobile access is proposed for the development, approximately 27 metres of street will be freed up for street parking. This translates to 4 parallel parking spaces per the current length dimensions in Section 106 of the Zoning By-law – in practice meeting the need for visitor parking at approximately the rates set out in the Zoning Bylaw.

Finally, the proposed development recognizes that the objectives of the Official Plan to transition residents away from personal automotive vehicles will be achieved over the long term. In addition to the property's proximity to multiple transit modes, ample vehicle parking is currently available in proximity to the Subject Property, including in a large-capacity surface parking lot facing Part A of the Subject Property. While this site is likely to be infilled in the medium term, parking provided there in addition to street parking and the 5 spaces proposed to be accommodated on Part B of the Subject Property will satisfy vehicle parking requirements in the short-term, helping to transition to a future where alternative modes predominate.

Additionally, an amendment to permit the access aisle for the 5 provided parking spaces on Part B to be 6.0 metres is requested, whereas normally a 6.7 access aisle is required. The zoning provisions for Parking Garages permit an access aisle of 6 metres, indicating that this spacing can safely be accommodated.

### 5.1 Environmental Site Assessment - Phase I and II

In May 2018, Paterson Group completed a Phase I Environmental Site Assessment for the subject property that identified several potentially contaminating activities through a historical search. Several of these activities – particularly a former machine welding shop on the adjacent property to the east, a former welding shop on the property at 70 Beech, and the current automotive garage use at 70 Beech – are deemed to have created areas of potential environmental concern on the Subject Property.

Accordingly, a Phase II Environmental Site Assessment was conducted in August 2018. The investigations included the drilling of three boreholes and the installation of three groundwater monitoring wells to assess soil and groundwater quality on the Subject Property. The results of these analyses identified fill material on-site which exceed the Ministry of Environment, Conservation and Parks' standards for a residential property. Therefore, a remediation program, consisting of the removal of all impacted soil to a licensed landfill site. Potential concerns were also identified in one of the groundwater sampling locations, and therefore Paterson recommends that the groundwater monitoring wells be maintained and re-tested to confirm groundwater quality.

### 5.2 Traffic Noise

The Subject Property's proximity to Preston Street and Highway 417 triggered the need for a Traffic Noise Study, which was completed by Gradient Wind Engineering Inc. in January 2019. This study found that in order to meet the maximum noise level standards for living areas and sleeping quarters, noise control measures are required. Exterior walls and windows must provide noise attenuation, with detailed Sound Transmission Class calculations to be completed prior to building permit application. The building will also require central air conditioning to allow occupants to keep windows closed and maintain a comfortable living environment.

While the projected noise levels at the rooftop amenity area reach 67 dBA during the day, exceeding the Sound Level Criteria of 55 dBA, attenuation measures are not feasible. Therefore, a noise warning clause will be required on all Lease, Purchase and Sale Agreements.

### 5.3 Shadow Study

A shadow study prepared by RLA Architecture demonstrates that the proposed building will have minimal impacts on sunlight and shadowing of amenity areas abutting the proposed development. Some shadowing of the public Right of Way will occur, particularly in winter months.

### 5.4 Site Servicing and Stormwater Management Report

A Servicing and Stormwater Management Report prepared by David Schaeffer Engineering Ltd. in March 2019 indicates that the existing municipal water infrastructure is capable of providing the proposed development with water at a pressure within the City's required range; this infrastructure is also capable of providing water at the required fire-flow rate.

The development will discharge into a combined sanitary/storm sewer system. Through a combination of measures including onsite storm sewage, the combined sanitary/storm sewage discharge rate will meet the City's allowable release rate. An Environmental Compliance Approval will need to be obtained from the Ministry of the Environment, Conservation and Parks to allow discharge into the combined sewer system.

It is our professional opinion that the requested Minor Zoning By-law Amendment and the proposed Site Plan constitutes good planning and is in the public interest. As outlined in the preceding sections:

- / The proposed development conforms to the policies of the Traditional Mainstreet and Mixed-Use Centre designations of the Official Plan as well as the majority of the design objectives and compatibility criteria.
- / The development conforms to the Urban Design Guidelines for Traditional Mainstreets.
- / The proposal will allow the redevelopment of an existing low-density auto body shop into a mixed-use development.
- / The requested Minor Zoning Amendment requests relief from the rear yard and interior side yard setback requirements, the angular plane requirements, the maximum permitted height, provisions related to permitted projections and visitor parking. These amendments are both desirable and required to permit a viable, vibrant mixed-use building that meets the objectives of the Official Plan and Preston-Carling Secondary Plan.
- / The use is permitted by the Official Plan and Zoning By-law and is a good fit within the existing context of the Preston Traditional Mainstreet, the Beech Street Main Street, and the Preston-Carling Mixed-Use Centre.
- / The proposed development is supported by technical studies submitted as part of this application.

Sincerely,



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Principal, Planning + Policy  
[Fotenn Consultants Inc.](#)



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