

**Subject: Zoning By-law Amendment – 197 and 201 Wilbrod Street**

**File Number: ACS2022-PIE-PS-0122**

**Report to Planning Committee on 22 September 2022**

**and Council 5 October 2022**

**Submitted on September 12, 2022 by Derrick Moodie, Director, Planning Services,  
Planning, Real Estate and Economic Development**

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**Ward: Rideau-Vanier (12)**

**Objet : Modification du Règlement de zonage – 197 et 201, rue Wilbrod**

**Dossier : ACS2022-PIE-PS-0122**

**Rapport au Comité de l'urbanisme**

**le 22 septembre 2022**

**et au Conseil le 5 octobre 2022**

**Soumis le 12 septembre 2022 par Derrick Moodie, Directeur, Services de la  
planification, Direction générale de la planification, des biens immobiliers et du  
développement économique**

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**Quartier : Rideau-Vanier (12)**

## **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 197 and 201 Wilbrod Street, as shown in Document 1, to permit a four-storey apartment building, as detailed in Document 2.**

2. That Planning Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* 'Explanation Requirements' at the City Council Meeting of October 5, 2022, subject to submissions received between the publication of this report and the time of Council's decision.

## RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 concernant les biens-fonds situés aux 197 et 201, rue Wilbrod, comme le montre le document 1, en vue de permettre l'aménagement d'un immeuble d'habitation de quatre étages, comme l'explique en détail le document 2.
2. Que le Comité de l'urbanisme donne son approbation afin que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux "exigences d'explication" aux termes de la *Loi sur l'aménagement du territoire*, à la réunion du Conseil municipal prévue le 5 octobre 2022 », sous réserve des observations reçues.

## BACKGROUND

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

### Site location

197 and 201 Wilbrod Street

### Owner

Empire Holdings Ltd.

**Applicant**

Timothy Beed, Fotenn Planning + Design

**Architect**

GRC Architects Inc.

**Description of site and surroundings**

The subject site is located along the north side of Wilbrod Street, between Cumberland Street and King Edward Avenue, in the Sandy Hill West neighbourhood. The site is comprised of two parcels, 197 and 201 Wilbrod Street, which have a combined area of 650 square metres and 20 metres of frontage along Wilbrod Street. The site is occupied by two residential buildings, which currently sit vacant. Surrounding uses include a mix of residential, commercial, and institutional uses in buildings ranging from low-rise to high-rise. Immediately abutting the site are low-rise residential buildings to the east, west, and north, and several places of worship with associated surface parking and accessory buildings to the south. The University of Ottawa campus is also located 100 metres to the west of the subject site.

The subject properties are located within the Sandy Hill West Heritage Conservation District and are designated under Part V of the *Ontario Heritage Act*. The properties are classified as contributing properties within the heritage conservation district.

**Summary of requested Zoning By-law amendment proposal**

The subject site is currently zoned R4UD S70 (Residential Fourth Density, Subzone UD, Schedule 70). The requested zoning is R4UD[XXXX] S70 (Residential Fourth Density, Subzone UD, Exception XXXX, Schedule 70). The amendment is requested to permit the development of a four-storey residential apartment building containing a total of 19 units; the building will have a mix of studio and two-bedroom units. As the site is located within a heritage conservation district and requires the demolition of two existing structures, the proposed development has been designed to be sensitive to the heritage character of the area but is not able to comply with the requirements of the Heritage Overlay.

The proposed zoning amendment seeks to:

1. Rezone the subject site to R4UD[XXXX] S70.

2. Amend Schedule 70 to apply Area E to the portion of 197 and 201 Wilbrod Street currently shown as Area A to permit a maximum height of 12.5 metres, where as height of 11 metres (height of existing buildings) is currently permitted.
3. Urban Exception [XXXX] includes provisions addressing the following:
  - Minimum rear yard setback of 7.6 metres, whereas 9.25 metres (30% of lot depth) is currently required.
  - Maximum projection of 1.6 metres above the first floor for balconies located in the required front yard.
  - Minimum visitor parking requirement of 0 spaces per dwelling unit.
  - Heritage Overlay provisions do not apply.

### **Brief history of proposal**

The subject properties, 197 and 201 Wilbrod Street, are designated under Part V of the *Ontario Heritage Act (OHA)* as part of the Sandy Hill West Heritage Conservation District. An application to demolish the existing structures on site was previously refused by Council in 2005, as no replacement building was proposed at that time. A new Heritage Permit application to permit the demolition of the existing structures has been submitted to Heritage staff and the associated report will be considered by Planning Committee at the same agenda as this report.

### **DISCUSSION**

#### **Public consultation**

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications.

Eight comments were received during the application review process and submissions generally expressed concerns with the built form, compatibility, heritage, and setbacks.

For this proposal's consultation details, see Document 3 of this report.

#### **Official Plan designation(s)**

#### **Current Official Plan**

The site is located with the Central Area designation as shown on Schedule B of the City's Official Plan.

## Central Area Secondary Plan

The [Central Area Secondary Plan](#) provides direction on direction for a number of geographical areas within the Central Area. Within this plan, the site is located within the Sandy Hill West designation. The vision for Sandy Hill West is to protect and enhance the rich heritage fabric of the area by ensuring that new infill development is sensitive to the character and features of nearby heritage buildings.

### Section 2.5.1 – Designing Ottawa

Tools and design objectives for new development are provided in Section 2.5.1 to guide compatibility and a high quality of design. These design objectives include enhancing the sense of community; defining quality public and private spaces through development; ensuring that new development respects the character of existing areas; and considering the adaptability and diversity of places that can adapt and evolve easily over time.

### Section 4.11 – Urban Design and Compatibility

New development is reviewed and evaluated using the policies of Section 4.11, which address urban design and compatibility. These aspects of urban design and compatibility include building profile and height, potential impacts, building transitions, and intensification within established neighbourhoods. The purpose of reviewing these design aspects is to ensure that new development is sensitive and compatible to the existing context while providing appropriate transitions between densities and land uses.

### **New Official Plan**

The site is designated as Hub, subject to the Evolving Neighbourhoods Overlay, on Schedule B1 – Downtown Core Transect, of the new Official Plan.

### **Other applicable policies and guidelines**

The [Urban Design Guidelines for Transit-Oriented Development](#) apply as the site is within 600 metres of a rapid transit station (Rideau O-Train Station). The guidelines aim to provide a mix of uses and densities that complement both transit users and the local community; ensure that the built form is designed and orientated to facilitate and encourage transit use; manage the safe circulation of pedestrians, cyclists, vehicles, and parking; and create quality public spaces that provide direct, convenient, safe, and attractive access to transit.

## **Heritage**

The subject property is designated under Part V of the *Ontario Heritage Act* as part of the Sandy Hill West Heritage Conservation District. A Heritage Permit application has been submitted to permit the demolition of the two existing structures on site.

## **Urban Design Review Panel**

The property is within a Design Priority Area; however, the proposed development did not trigger the requirement for the Urban Design Review Panel (UDRP) process.

## **Planning rationale**

A complete application was submitted for the proposed Zoning By-law Amendment following Council approval of the new Official Plan on October 27, 2021. As such, this application has been reviewed based on the policies of the consolidated Official Plan (2003) and amendments in effect from Official Plan Amendment 150 (OPA 150), as well as the policies of the new Official Plan.

The site is designated as Central Area (Section 3.6.6), which permits a broad range of land uses and aims to protect existing residential neighbourhoods within the designation. The Central Area Secondary Plan provides further direction on how the Sandy Hill West neighbourhood is intended to develop. Strong emphasis is placed on the importance of protecting and enhancing the heritage character of the area by ensuring that new infill development is sensitive to the character and features of nearby heritage buildings. Unfortunately, it has been determined that the existing heritage buildings are not well suited for restoration due to their dilapidated state. As a result, the proposed development involves the demolition of the two existing heritage buildings on site. Heritage staff have reviewed the proposal through a concurrent Heritage Permit application and do not object to demolition of the existing heritage buildings.

Further, staff are satisfied that the proposed 4-storey apartment building has been designed in a manner that respects the existing heritage character of the Sandy Hill West neighbourhood, meets the urban design objectives of Section 2.5.1, and achieves the compatibility criteria outlined in Section 4.11. The proposed development utilizes materials consistent with surrounding buildings (i.e., red brick), built form is consistent with low-rise character of the area, and provides a prominent entrance and landscaping along Wilbrod Street to contribute to enhance the existing streetscape, as shown in Document 4 of this report.

Section 4.6.1 of the Official Plan provides direction related to the preparation of Cultural Heritage Impact Statements (CHIS) for properties designated under Part V of the *Ontario Heritage Act*. A CHIS is required where an application has the “potential to adversely affect the heritage conservation district.” Staff have reviewed the findings of the CHIS submitted in support of the proposed development and are satisfied that the existing structures unfortunately cannot be salvaged due to their hazardous condition and deteriorated state resulting from years of neglect by previous owners. A heritage application for demolition of structures designated under Part V of the *Ontario Heritage Act* was submitted to Heritage staff and the associated report will be considered by Planning Committee at the same agenda as this report.

### **Recommended Zoning Details**

As detailed in Document 2, the proposed Zoning By-law amendment has the effect of rezoning the subject site to include a site-specific exception including provisions related to permitted projections into required yards, a reduced rear yard setback, compliance with the heritage overlay and visitor parking, Schedule 70 is also being amended to increase the permitted building height. The following summarized the site-specific zoning provisions and planning rationale:

- Amending Schedule 70 will have the effect of increasing the maximum permitted building height applicable to the front portion of the 197 and 201 Wilbrod Street from 11 metres (height of the existing structures) to 12.5 metres. The proposed building height is consistent with surrounding building heights and maintains the low-rise character of the neighbourhood in accordance with the Official Plan.
- The applicant is seeking to increase permitted projection of balconies above the first floor to 1.6 metres, whereas the Zoning By-law limits projections to 1.2 metres above the first floor. Staff have no concerns with the requested relief as it allows for two prominent porches to be incorporated into the building design, which pay homage to the porches on the existing heritage homes to be demolished, and thereby contribute to the existing heritage character of area.
- A reduced rear yard setback of 7.6 metres has been requested to accommodate the proposed development, whereas the Zoning By-law currently requires 9.25 metres (30% of 30.8 metre lot depth). Staff have no concerns with the requested relief as the minimum required rear yard area of 162 square metres is able to be achieved and the proposed setback results in an increased setback from what is currently present with both the existing buildings on site.

- The visitor parking requirement is being reduced from 1.0 space required to 0 spaces. Staff have no concerns with having no visitor parking as the site is located within a walkable community that is well-served by transit and active transportation facilities. Additional bicycle parking has also been provided to serve the proposed development.
- The proposed development will not comply with the heritage overlay provisions requiring that removed or destroyed buildings must be rebuilt with the same character and at the same scale, massing, volume, floor area and in the same location as existed prior to its removal or destruction. The proposed development deviates from the building form of the two existing dwellings. Staff have no concerns as the scale and massing of the proposed building has been designed to be respectful of the existing low- and mid-rise character of the area, as required by the Central Area Secondary Plan, while also providing an opportunity for residential intensification, as encouraged by the policies of both the current and new Official Plans. Section 2.2.2 of the current Official Plan notes that the Central Area is a target area for intensification, and that intensification is supported where “there are opportunities to accommodate more... housing and increase transit uses.” Section 2.2.1 of the new Official Plan identifies that residential growth should be directed to “Hubs, Corridors and surrounding Neighbourhoods where daily and weekly needs can be accessed within a short walk”; the subject site is designated as Hub on Schedule B1. Further, the application has been reviewed by heritage staff and there are no concerns with the proposed development from a heritage perspective.

### **Provincial Policy Statement**

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

### **RURAL IMPLICATIONS**

There are no rural implications associated with the report.

### **COMMENTS BY THE WARD COUNCILLOR**

Councillor Mathieu Fleury has provided the following comments:

“I support the renewal of a long-standing vacant and derelict property in Sandy Hill. As I continually attempt to crack down on vacant and underused properties in our

communities, I am pleased to see this proposal come forward and address one of these neglected heritage properties.

As pleased as I am to see the effort to change this situation, I remain displeased with the state that this property became with its previous ownership. The fact that at the end of the day, demolition of this heritage home is the only option is one I truly hate to see, as demolition by neglect of heritage buildings continues to be an issue in Ottawa.

I am comforted, however, in the approach the new owner is taking in respecting and honouring the heritage connection this address has.

Specifically, the inclusion of red brick maintains the character of the former building and the neighbourhood's character. Further, this design respects and complements the community's existing character. In addition to the red brick, prominent front porches are included.

The scale of the building also respects the heritage character of the street and community, seeing to it that there are minimal adverse impacts on this established street.

I am also happy to see that the Sandy Hill Site Plan provision of moving garbage indoors in a multi-residential environment is respected with this design. Respecting this provision allows for a more significant amount of outdoor amenity space and significantly improves neighbours' well-being and City's future call for service.

Further, I am pleased that by providing bicycle parking, garbage and rear-yard amenity space are all accessible both from the exterior of the building and interior, taking into consideration daily use for tenants.

As we approach site plan review, I look forward to continuing the conversation with other site plan elements such as fencing, defining the amenity space (barbecues, picnic areas etc.), gates and lighting.

I see these elements as essential and integral final touches to a design and ultimately thinking of how future tenants will live and use the spaces."

## **LEGAL IMPLICATIONS**

There are no legal impediments to the adoption of the recommendations in this report.

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications.

**ASSET MANAGEMENT IMPLICATIONS**

There are no servicing constraints identified for the proposed rezoning at this time. Servicing capacity requirements to be confirmed at time of site plan.

**FINANCIAL IMPLICATIONS**

There are no direct financial implications.

**ACCESSIBILITY IMPACTS**

The proposed development will be required to meet the accessibility requirements contained within Ontario Building Code.

**ENVIRONMENTAL IMPLICATIONS**

Three trees are to be removed at the rear of the property. However, the applicant is proposing to plant two new deciduous trees and substantial landscaping in the rear yard as part of the proposed development. Existing street trees abutting the front property line are to be preserved and incorporated into the proposed landscaping plan.

**TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification; and,
- Thriving Communities.

**APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D02-02-22-0008) was processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications.

**SUPPORTING DOCUMENTATION**

Document 1 Location Map and Zoning Key Plan

Document 2 Details of Recommended Zoning

Document 3 Schedule 70 (amended)

Document 4 Development Concept

## Document 5 Consultation Details

**CONCLUSION**

The Planning, Real Estate and Economic Development Department supports the application and proposed Zoning By-law Amendments. The proposed development allows for the intensification of an underutilized site within the Sandy Hill West neighbourhood in a manner that is sensitive to the established heritage character of the area in accordance with the Central Area Secondary Plan. Further, the requested amendments are consistent with the current and new Official Plan and the Provincial Policy Statement. The development represents good planning.

**DISPOSITION**

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; O'Brien, Program Manager, Tax Billing & Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

Legal Services, Innovative Client Services Department to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

**Document 1 – Location Map**

For an interactive Zoning map of Ottawa visit [geoOttawa](http://geoOttawa)



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-22-0008	22-0791-X	<b>197-201 rue Wilbrod Street</b>	
I:\CO\2022\Zoning\Wilbrod_197_201		 Area A to be rezoned from R4UD S70 to R4UD[XXXX] S70 Le zonage du secteur A sera modifié de R4UD S70 à R4UD[XXXX] S70	
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers                  All rights reserved. May not be produced without permission.                  THIS IS NOT A PLAN OF SURVEY</small>		 Heritage (Section 60) Patrimoine (Article 60)	
<small>©Les données de parcelles appartiennent à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE</small>		Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) / Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)	
REVISION / RÉVISION - 2022 / 08 / 17			

## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 197 and 201 Wilbrod Street:

1. Rezone the lands shown as in Document 1.
2. Amend Part 17, Schedule 70, with a revised Schedule 70 as shown in Document 3.
3. Amend Section 239 – Urban Exceptions, by adding a new exception [XXXX] with provisions similar in effect to the following:
  - a) In Column V, add provisions similar in effect to the following:
    - Minimum rear yard setback: 7.6 metres
    - Despite Table 65, maximum projection for balconies in a required yard above the first floor is 1.6 metres
    - Despite Section 102, no visitor parking is required.
    - Section 60 does not apply.

Document 3 – Schedule 70 (amended)



A = Existing height of existing building /  
Hauteur actuelle du bâtiment  
C = 7.8 Metres above grade /  
Mètres au-dessus du niveau du sol  
D = 10.7 Metres above grade /  
Mètres au-dessus du niveau du sol  
E = 12.5 Metres above grade /  
Mètres au-dessus du niveau du sol  
F = 13.3 Metres above grade /  
Mètres au-dessus du niveau du sol

Maximum permitted building heights (in metres)  
Hauteur de bâtiment maximale permise (en mètres)  
G = 16.0 Metres above grade /  
Mètres au-dessus du niveau du sol  
H = 18.9 Metres above grade /  
Mètres au-dessus du niveau du sol  
I = 21.4 Metres above grade /  
Mètres au-dessus du niveau du sol  
J = 41.5 Metres above grade /  
Mètres au-dessus du niveau du sol  
K = 24.1 Metres above grade /  
Mètres au-dessus du niveau du sol  
L = 42.5 Metres above grade /  
Mètres au-dessus du niveau du sol



D02-02-22-0008

22-0791-X

M:\Zoning\_Bylaw\Schedules

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**This is Schedule 70 to Zoning By-law No. 2008-250  
Annexe 70 au Règlement de zonage n° 2008-250**

This is Attachment \_\_\_ to By-law Number \_\_\_\_, passed \_\_\_\_, 2022  
Pièce jointe n° \_\_ du Règlement municipal n° \_\_\_\_, adopté le \_\_\_\_, 2022





## **Document 5 – Consultation Details**

### Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

## **PUBLIC COMMENTS AND RESPONSES**

The following summarizes, in no particular order, a list of comment topics and items raised by members of the public in response to the application:

### **Built Form and Character**

- Request to increase the height of the proposal.
- Concerns with the requested building height increase.
- Concerns with materials used for the façade of the proposed building.
- Concerns with the proportion of studio units within the proposed apartment building.

### Response:

The proposed development has been evaluated against the urban design and compatibility policies contained within the City of Ottawa Official Plan. As per Section 2.5.1, new development does not need to be “the same as or similar to existing buildings in the vicinity” to be considered compatible. Staff are satisfied that proposed building and site design effectively utilize materials, colour, building articulation and height to reflect the character of the neighbourhood, while also creating an opportunity for residential intensification within a well-served urban neighbourhood.

### **Rear Yard Setback**

- Concerns with the proposed rear yard setback. Specifically, that the proposed rear yard setback does not meet the standard 30% of lot depth requirement in the Infill 2 provisions and that allowing a reduced setback in this location will set a precedent for future infill development in the area.

Response:

Staff have no concerns with the proposed rear yard setback. The proposed setback results in a net increase to the rear yard setback than is currently present, and the applicant is able to meet the minimum required rear yard area with the proposed setback. Further, this Zoning By-law Amendment will not set a precedent for future development in the area. Each development proposal is evaluated based on its own planning merit.

### **Heritage**

- Concerns with lack of heritage conservation.
- Allowing the proposed development rewards the owner after years of neglect to existing heritage buildings on site.

Response:

The application was accompanied by a Cultural Heritage Impact Statement and upon review Heritage staff accepted the findings and had no further comments.

It is acknowledged that the existing heritage buildings on site have been neglected and that the structures are not well-suited for restoration as a result.

### **Vehicle / Bicycle Parking**

- Concerns with the absence of parking on site.
- Request to increase the amount of bicycle parking being provided.

Response:

Zero resident vehicle parking is required by the Zoning By-law. The applicant is seeking relief from the requirement for 0.8 visitor parking spaces, which staff have no concerns with as the site is well-served by transit and active transportation infrastructure. Double the required bicycle parking is also provided to meet the needs of residents.