

Subject: Zoning By-law Amendment – 257, 261, 269 and 277 King Edward Avenue, 260 Murray Street

File Number: ACS2022-PIE-PS-0057

Report to Planning Committee on 26 May 2022

and Council 8 June 2022

Submitted on May 10, 2022 by Lily Xu, Acting Director, Planning, Real Estate and Economic Development

Contact Person: Seana Turkington, Planner, Development Review Central

613-580-2400, 27790 seana.turkington@ottawa.ca

Ward: Rideau-Vanier (12)

Objet : Modification du Règlement de zonage – 257, 261, 269 et 277, avenue King Edward, 260, rue Murray

Dossier : ACS2022-PIE-PS-0057

Rapport au Comité de l'urbanisme

le 26 mai 2022

et au Conseil le 8 juin 2022

Soumis le 10 mai 2022 par Lily Xu, Directrice par intérim, Direction générale de la planification, des biens immobiliers et du développement économique

Personne ressource : Seana Turkington, Urbaniste, Examen des demandes d'aménagement centrale

613-580-2400, 27790, seana.turkington@ottawa.ca

Quartier : Rideau-Vanier (12)

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 257, 261, 269, and 277 King Edward Avenue and 260 Murray Street to permit an eight-storey, 121-suite hotel with ground floor commercial, 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 June 8, 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 du Règlement de zonage 2008-250 visant les 257, 261, 269, et 277, avenue King Edward et le 260, rue Murray, afin de permettre la construction d’un hôtel de huit étages et de 121 suites, assorti de locaux commerciaux au rez-de-chaussée, comme l’expose en détail le document 2.
2. Que le Comité de l’urbanisme donne son approbation à ce 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 8 juin 2022 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision..

EXECUTIVE SUMMARY

Staff Recommendation

Planning staff recommend approval of the Zoning By-law Amendment application for 257, 261, 269, and 277 King Edward Avenue and 260 Murray Street (known as 275 King Edward) to establish an eight-storey, 121-suite hotel with ground-floor commercial, 51 underground vehicular parking spaces and 39 bicycle parking located underground and at-grade. A mechanical penthouse and elevator shaft will be located on the roof of the building. The requested Zoning By-law amendment would rezone the subject site to Traditional Mainstreet (TM) with site-specific exceptions for setbacks, drive-aisle width, loading spaces, loading space location, and stepbacks as well as, a height schedule.

Applicable Policy

The proposed development conforms to both the current Official Plan and the new Official Plan. Under the current Official Plan, the subject site is designated Mainstreet (Section 3.6.3), which permits a wide range of uses and places emphasis on development supporting multi-modal transportation.

Under the new Official Plan, the subject site is within the Downtown Core Transect (per Schedule A) and is identified as a Mainstreet Corridor, and within both an Evolving Neighbourhood Overlay and the Byward Market Special District per Schedule B1.

The policies for the Downtown Core Transect, found within Section 5.1.1, recognises the established built form and characteristics typically found in these built-up areas (listed in Table 6 and discussed further herein). The Downtown Core Transect is identified as an area where higher-density urban form is located and planned. Per the policies for Mainstreet Corridors, heights of up to nine (9) storeys will be permitted, including in the Byward Market Special District along King Edward Avenue.

It is noted that the proposed development complies with the viewplane policies in both the Official Plan and the new Official Plan protecting views of the Parliament Buildings from Beechwood Cemetery. Based on an analysis conducted by staff, the proposed building will not obstruct the viewplane.

Public Consultation/Input

Notification and Public Consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications. During the review of the application, approximately 19 individuals provided comments on the proposal. A community information session was also hosted by the Ward Councillor via Zoom in October 2021, which was attended by approximately 13 members of the public.

RÉSUMÉ

Recommandation du personnel

Le personnel chargé d'urbanisme recommande l'approbation de la demande de modification du Règlement de zonage visant les 257, 261, 269 et 277, avenue King Edward et le 260, rue Murray (275, avenue King Edward), afin de permettre la construction d'un hôtel de huit étages et de 121 suites, assorti de locaux commerciaux au rez-de-chaussée, de 76 places de stationnement souterraines pour véhicules et de

34 places de stationnement pour vélos aménagées en sous-sol et au niveau du sol. Une cabine de machinerie et un puits d'ascenseur seront situés sur le toit du bâtiment. La demande de modification du Règlement de zonage a pour objet d'attribuer à l'emplacement visé une désignation de Zone de rue principale traditionnelle (TM) assortie d'exceptions propres à l'emplacement et concernant les retraits, la largeur de l'entrée de cour, les aires de chargement, l'emplacement des aires de chargement, les marges de recul ainsi qu'une annexe de hauteur.

Politique applicable

L'aménagement proposé est conforme aux dispositions du Plan officiel et du nouveau Plan officiel. En vertu du Plan officiel actuel, l'emplacement est désigné Rue principale (section 3.6.3). Il peut donc accueillir une vaste gamme d'utilisations et être axé sur des aménagements favorables au transport multimodal.

Aux termes du nouveau Plan officiel, l'emplacement se trouve dans le transect du centre-ville (annexe A) et est désigné Couloir d'artère principale. L'annexe B1 le situe à la fois dans une Zone sous-jacente des quartiers évolutifs et le secteur spécial du marché By.

Les politiques du transect du centre-ville, figurant à la section 5.1.1, reconnaissent la forme bâtie et les caractéristiques propres à ces secteurs bâtis (énumérées dans le tableau 6 et abordées plus loin dans le présent document). Le transect du centre-ville est désigné comme étant un secteur où se trouvent et se planifient des formes urbaines de plus forte densité. Conformément aux politiques des couloirs d'artère principale, des hauteurs pouvant atteindre neuf (9) étages sont autorisées, y compris dans le secteur spécial du marché By longeant l'avenue King Edward.

Il est noté que l'aménagement proposé est conforme aux politiques du Plan officiel actuel et du nouveau Plan officiel qui protègent les points de vue sur les édifices du Parlement depuis le cimetière Beechwood. Compte tenu de l'analyse effectuée par le personnel, l'immeuble proposé n'obstruera pas le point de vue.

Consultation publique et commentaires

Les membres du public ont été avisés et consultés conformément à la politique en la matière adoptée par le Conseil municipal pour les demandes d'aménagement. Au cours de l'examen de la demande, 19 personnes ont fait part de leurs commentaires sur la proposition. Le conseiller municipal du quartier a organisé en octobre 2021 une réunion d'information publique sur Zoom, à laquelle environ 13 membres du public ont pris part.

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

275 King Edward Avenue (comprised of 257, 261, 269 and 277 King Edward Avenue and 260 Murray Street)

Owner

165177 Canada Inc.

Applicant

Dennis Jacobs, Momentum Planning and Communications

Architect

Woodman Architect & Associates Ltd.

Description of site and surroundings

The subject property, known municipally as 275 King Edward, has a total lot area of approximately 1,574 square metres with approximately 61 metres of frontage on King Edward Avenue, 30.2 metres of frontage on Murray Street, and 20.2 metres of frontage on Clarence Street. The subject site consists of five consolidated lots: 257, 261, 269, and 277 King Edward as well as, 260 Murray Street.

The property is vacant save and except for a two-storey apartment building on the northern portion of the property (257 King Edward Avenue). The surrounding properties contain a mix of uses including (but not limited to), low-rise residential, office and commercial uses.

Summary of proposed development

The applicant has proposed to demolish the existing apartment building at 257 King Edward Avenue and construct an eight-storey hotel with 121 suites for both short and long-term stays, along with 120 square metres of commercial space on the ground floor. Approximately 54 of the proposed 121 suites, located on storeys 5, 6, 7, and 8, are proposed to be long-term suites.

A total of 51 underground vehicular spaces are proposed, along with a total of 39 bicycle parking spaces (32 will be in the underground parking garage, and 7 spaces will be at-grade). Vehicular access to the proposed underground parking garage is via Clarence Street, with a service vehicle access off of Murray Street. A mechanical penthouse and elevator shaft will be located on the roof of the building and have been restricted in location within the recommended zoning Schedule to ensure these projections above the height limit remain outside the viewplane protection.

The lands to which the proposed Zoning By-law Amendment applies are also the subject of an ongoing Site Plan Control Application (File Number D07-12-21-0128), which was submitted concurrently with the subject minor Zoning By-law Amendment in August 2021. As part of the Site Plan application, the applicant is also proposing to re-configure a small portion of sidewalk on Murray Street and add landscaping with the City right of way.

Summary of requested Zoning By-law amendment proposal

The subject property is currently split-zoned Traditional Mainstreet Zone (TM) and Traditional Mainstreet Zone, Subzone 12 (TM12); 257, 269 and 277 King Edward are zoned TM, while 261 King Edward and 260 Murray Street are zoned TM12. The TM zone permits a variety of uses, including: hotel, retail, service commercial, office, residential and institutional. The applicant has submitted a Zoning By-law Amendment seeking relief from existing performance standards in order to construct the proposed eight-storey hotel with ground floor commercial. Specifically, the applicant is seeking relief from the following zoning provisions:

- To permit a reduced rear yard of 6.1 metres, whereas the by-law requires 7.5 metres, minimum.
- To permit a reduced width for a landscaped area in a required yard, in this instance the interior side yard, of 0 metres whereas the by-law requires 3 metres.
- To permit a reduced minimum interior side yard setback of 2 metres whereas the By-law requires a minimum of 3 metres.
- To permit a maximum building height of 25.1 metres, whereas the by-law permits a maximum of 20 metres.
- To permit a Corner Side Yard setback above 15 metres of 0 metres (for the Murray Street elevation), whereas the by-law requires that for any portion of a building over 15 metres, an additional 2.0-metre setback be provided.

- To permit a reduction in the number of loading spaces required to 1 space, whereas the By-law requires two loading spaces.
- To permit a loading space in the rear yard abutting a residential zone, whereas the by-law does not permit loading abutting residential zones.
- To permit a reduced driveway width of 5 metres whereas the by-law requires a minimum width of 6 metres; and,
- To reduce the minimum required setback above 15 metres from an additional 2 metres to the Front Yard Setback provided to 0 metres

DISCUSSION

Public consultation

A public consultation session was held on October 21, 2021, which was attended by the consultant, owner, Community Association, city staff, Ward Councillor, and members of the public. A total of 13 members of the public attended the session. The session was hosted via Zoom, with concerns expressed related to the following: the property abutting the subject site at 257 Clarence Street and impacts to the existing structure; pedestrian safety being compromised as a result of increased traffic; overlook concerns; the proposed height of the building; the angular plane and proposed projections into it; the lack of interior side yard setback abutting 257 Clarence Street; safety concerns related to the use of the underground parking garage; the number of vehicular parking spaces proposed; the water table and water re-direction; compliance with design guidelines; and, impacts to neighbouring residential uses during construction of the proposed building.

A summary of comments received during the review period, and the corresponding staff responses, are found in Document 4.

For this proposal's consultation details, see Document 4 of this report.

Official Plan designation(s)

Current Official Plan

This application has also been evaluated in accordance with policies contained in Sections 2.5.1 and 4.11 of the current Official Plan (hereby referred to as the 'Official Plan'). Section 2.5.1 provides direction on urban design and compatibility. The policies of Section 2.5.1 outline that compatible development does not necessarily need to be

the same or similar to nearby buildings but rather, enhance the existing community through good urban design without adverse impacts to surrounding properties and the planned function of the area.

The overall design of the project has been revised throughout the review of the application in order to address comments from staff and members of the public. Specifically, the applicant has increased landscaping on site, increased the amount of bicycle parking proposed, increased the interior side yard setback abutting 257 Clarence Street, enhanced materiality, altered the portion of the façade that will face Murray Street, and reduced the total number of underground parking spaces proposed.

Per Schedule B of the Official Plan, the property is designated Traditional Mainstreet. Policies related to Mainstreet designations (specifically, Traditional Mainstreet and Arterial Mainstreets) are found in Section 3.6.3 of the Official Plan. It is noted that streets identified as mainstreets offer significant opportunities for intensification via medium-density and mixed-use development and, are also streets which connects various communities and change in character along the length of the entirety of the street. Mainstreets considered to have pre-1945 characteristics are designated Traditional Mainstreets and are composed of a tightly-knit urban fabric with buildings close to the street, amongst other characteristics. The designation permits a wide range of uses whilst also placing emphasis on development that supports multi-modal transportation, enhances the pedestrian environment and notes the importance of adequate landscaping and the provision of trees as part of re-development. It is noted that as per Section 3.6.3, Policy 11, mid-rise building heights along Traditional Mainstreet are supported.

Accompanying the policies of Section 2.5.1, Section 4.11, pertaining to Urban Design and Compatibility, is applicable. Section 4.11 provides details and objective criteria to be considered as part of the review of an application, including (but not limited to) landscaping, materiality, setbacks, noise, parking and access. Per the policies of Section 4.11, new buildings are to be compatible with the surrounding area, through the utilization of setbacks, materials, building heights, the location and orientation of entrances, and transition to the surrounding area. The proposed development incorporates a variety of materials, most notably, metal panel, brick and stone. Both setbacks and stepbacks are incorporated into the proposal, which will assist with transition to the residential uses abutting the property.

A portion of the subject site is within the viewshed of the Parliament Buildings from Beechwood Cemetery. Views of the Parliament Buildings from both the Tommy Douglas

Memorial and Poet's Hill in Beechwood Cemetery are protected per Section 4.11, Policy 3 and Annex 12 of the Official Plan. Per Section 4.11, Policy 3, new buildings are to compliment or enhance the views of Parliament and Zoning By-law Amendments and Minor Variances will not be permitted where a proposed building would obstruct the viewplane unless the view is already impacted, at which point the view is not to be further impacted. Both the applicant and City staff conducted a viewshed analysis of the proposal and, the building will not break the viewplane from Beechwood Cemetery towards the Parliament nor will it obstruct views. Accordingly, staff are satisfied that the proposal complies with both Section 4.11 and Annex 12 of the Official Plan. Document 7 herein shows the viewplane from Beechwood Cemetery looking towards the Parliament Buildings and illustrates the proposed building will not obstruct the viewplane. The proposed height of 25.1 metres, excluding the mechanical penthouse, is consistent with other buildings in the area. It is noted that the mechanical penthouse and elevator shaft, both of which will be located on the roof, do not project into the viewplane, as shown in Document 7, and have been restricted in location through the recommended zoning details.

New Official Plan

Further to the policies in the Official Plan taken into consideration as part of the review of this application, the policies of the new Official Plan (hereby referred to as the 'new Official Plan) were also taken into consideration. Per Schedule A of the new Official Plan, the subject site is within the Downtown Core Transect, with relevant policies found under Section 5.1.1. Section 5.1.1, Policy 1 recognises the established built form, and notes characteristics such as shallow front yard setbacks and in some cases, a zero front yards; a range of lot sizes; principal entrances at grade with direct relationships to the public realm; minimal functional side yards; etc. Policy 6 of Section 5.1.1 identifies the Downtown Core Transect as a planned area where higher-density urban form is located with either no on-site parking provided, or parking arranged in a common parking area, lot or garage accessed via a common driveway. Per Schedule B1 of the new Official Plan, the subject site is designated Mainstreet Corridor and is within the Byward Market Special District. Mainstreet Corridors within the Downtown Core Transect are to have a minimum height of two (2) storeys and a maximum height of nine (9) storeys. This height maximum, further discussed in Subsection 5.1.4, Policy 3 notes that maximum heights up to nine (9) storeys are permitted subject to appropriate height transitions, stepbacks and angular planes, and subject to the building having an active entrance.

Subsection 6.6.2.3 of the new Official Plan deals with the Byward Market Special District. Per 6.6.2.3(3)(g), mid and high-rise buildings along King Edward will generally be permitted, with transition to commercial at Rideau Street and King Edward Avenue being provided. Further, 6.6.2.3(4) notes that views of Parliament Hill and other National Symbols (identified in Subsection 4.6.2, Policies 1) and 2) shall be maintained.

Furthermore, the site also carries the Evolving Overlay per Schedule B1. The Evolving Overlay applies to areas within close proximity to Hubs and Corridors and identifies areas for which a gradual evolution will occur, permitting new built form and a diversity of land uses.

Other applicable policies and guidelines

No Secondary Plan or Community Design Plan (CDP) is applicable to the subject site.

The Urban Design Guidelines for Development along Traditional Mainstreets are applicable to this proposal.

Heritage

The subject property is not listed or designated under the *Ontario Heritage Act*, however there are a number of adjacent and nearby cultural heritage resources, including an adjacent property at 257 Clarence Street which is listed on the City's Heritage Register.

A "Heritage Brief" was submitted voluntarily by the applicant to help identify further opportunities for integration with the surrounding properties on both Clarence Street and King Edward Avenue. Through the development review process, staff have worked with the applicant to introduce a number of design measures to help better integrate the proposal with its context and mitigate potential impacts on the listed property at 257 Clarence Street in particular. These include improved materiality (red brick), changes to provide massing relief and transition down to the residential area to the east, as well as an increased setback at the rear and side lot lines to provide additional space and landscaping area next to 257 Clarence Street.

Heritage Planning Staff have received a request to designate 257 Clarence Street under Part IV of the *Ontario Heritage Act* and are continuing to review and evaluate its candidacy for designation. Staff will work with the applicant through the Site Plan Control process to ensure that the building at 257 Clarence will be monitored and protected during the construction of the proposed building next door.

Urban Design Review Panel

The property is within a Design Priority Area and the Zoning By-law Amendment application and Site Plan Control application was subject to the Urban Design Review Panel (UDRP) process. The applicant presented their proposal to the UDRP at a formal review meeting, which was open to the public.

The formal review meeting for the Zoning By-law Amendment application was held on October 8, 2021.

The panel's recommendations from the formal review of the Zoning By-law Amendment application and Site Plan Control application are:

Summary

- The Panel is generally supportive of the project; the articulation of the mass, the step backs and brick detailing but the Panel has some concerns with the materials, primarily in areas where metal and brick meet.
- The Panel believes there is an opportunity to step back the building further to improve the relations with the adjacent house.

Building Articulation

- The Panel appreciates the revision to the south elevation, the attention to detail and the additional studies on Clarence Street.
- The Panel believes the step back on the east side has been reduced, not benefitting the project.
- There was a suggestion to remove the two units on the fourth floor between B and C gridlines and 1 to 6 gridlines to increase the space to the adjacent house on Murray Street. Consider also removing the fourth floor between the 13 and 15 gridlines to provide a greater distance for the adjoining house on Clarence Street.
- The proponent should also increase the building set back at the seventh storey on the east edge and step back level 8, south of gridline 13, to improve the building's relationship to the neighbourhood and the adjacent house on Clarence Street.
- The Panel appreciates the receding of the garage and the inseting of the garage doors to showcase the adjacent house.

Materiality

- The Panel notes the metal panel and red brick on the east elevation appear co-planar; the proponent should consider recessing the metal panels for a successful change in plane associated with a change in materials as seen in the parapet at the ground floor.
- The Panel cautions the use of white metal window wall system, especially at the corner, as the material will not age well. The use of more traditional material such as stone or a more durable material is encouraged.

Public Realm

- The Panel appreciates the ground floor layout. The retail space adjacent to the parkette adds life into the area with adequate space provided for an outdoor patio.

The panel was successful in aiding in the implementation of the following:

- A change in proposed material to include more brick as well as the use of masonry panels;
- The addition of further step backs on the upper floors of the proposed building on the Clarence Street façade, which will enhance views to 257 Clarence Street;
- Increased setback along the eastern interior side yard, which abuts 257 Clarence Street;
- Enhanced compliance with the angular plane required along the Murray Street façade;
- Enhanced building articulation.

Planning rationale

Official Plan

The proposed development is consistent with the policies for Traditional Mainstreets, per the policies under Section 3.6.3 of the Official Plan, which permit a variety of uses and encourage re-development, activation and animation of the street, and the enhancement of the pedestrian environment. The proposed development is also consistent with Policies contained in Section 2.5, related to Growth Management, and Section 4.11, related to Urban Design and Compatibility. The subject site also falls

within the viewplane of the Parliament Buildings from Beechwood Cemetery, which is protected by Section 4.11, Policy 3 and Annex 12 of the Official Plan. Having conducted an analysis of the viewplane with and without the proposed development, staff are satisfied that the proposed building will not obstruct views of the Parliament Buildings from Beechwood Cemetery and thus, that the viewplane is not impacted and satisfies the policy for view protection.

The proposed development is also consistent with the policies contained within the new Official Plan. Per the new Official Plan, the site is within the Downtown Core Transect, per Schedule A, and is considered a Mainstreet Corridor within the Byward Market Special District, with the Evolving Neighbourhoods Overlay also applicable per Schedule B1. The proposal complies with the policies of the Downtown Core Transect and with the policies applicable to Mainstreet Corridors, the Byward Market Special District and the Evolving Neighbourhoods Overlay.

Zoning By-law

The subject site is currently zoned Traditional Mainstreet Zone (TM) and Traditional Mainstreet Zone, Subzone 12 (TM12). The intent of the TM zone is to accommodate a range of uses, foster compact development accessible by all modes of transportation and, ensure that street continuity, scale and character are maintained, and development complements the surrounding land uses. Although the applicant is seeking relief from some of the performance standards for the TM zone, it is staff's opinion that the proposed development is consistent with and upholds the intent of the TM zone.

Urban Design Guidelines

The Urban Design Guidelines for Development along Traditional Mainstreets are applicable to this proposal. These Guidelines apply to proposed development along Traditional Mainstreets and, intend to promote development that reinforces and enhances the planned scale and character of the street whilst promoting a broad range of uses.

Having considered the aforementioned, staff are of the opinion that the proposed development for 275 King Edward Avenue complies with the policies of both the new Official Plan and the current Official Plan, maintains the intent of the Traditional Mainstreet zone and upholds relevant Urban Design Guidelines. Additionally, staff are of the opinion that the proposed building is of an appropriate scale, utilizes appropriate materials, and is compatible with the surrounding area. Furthermore, staff are of the

opinion that the proposed building will further ensure street continuity along King Edward Avenue.

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 as a result of the proposed amendment.

COMMENTS BY THE WARD COUNCILLOR

The Ward Councillor is aware of this report.

ADVISORY COMMITTEE(S) COMMENTS

No comments from advisory committees were received during the review process.

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the report recommendation.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

No accessibility barriers are anticipated. Review of the proposal through the Site Plan Control process as well as at the Building Permit stage will ensure that the building is accessible.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Sustainable Infrastructure
- Thriving Communities

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-21-0085) was not processed by the “On Time Decision Date” established for the processing of Zoning By-law amendments due to the complexity of issues associated with the application.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Schedule ‘XXX’: Maximum Permitted Building Height and Minimum Required Setbacks and Stepbacks

Document 4 Consultation Details

Document 5 Proposed Site Plan

Document 6 Proposed Building Elevations

Document 7 Viewplane Analysis

CONCLUSION

Staff are of the opinion that the proposed development is appropriate and will provide further street animation along King Edward Avenue. Overall, the proposal conforms to the Provincial Policy Statement, the current Official Plan and the new Official Plan. The proposal also upholds the intent of the Traditional Mainstreet provisions in the Zoning By-law. The proposed building is sensitive to the existing context and employs the use of setbacks and step backs to appropriately transition to the surrounding area. Accordingly, this Zoning By-law amendment is recommended for approval.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Krista 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



 Heritage (Section 60)
Patrimoine (Article 60)

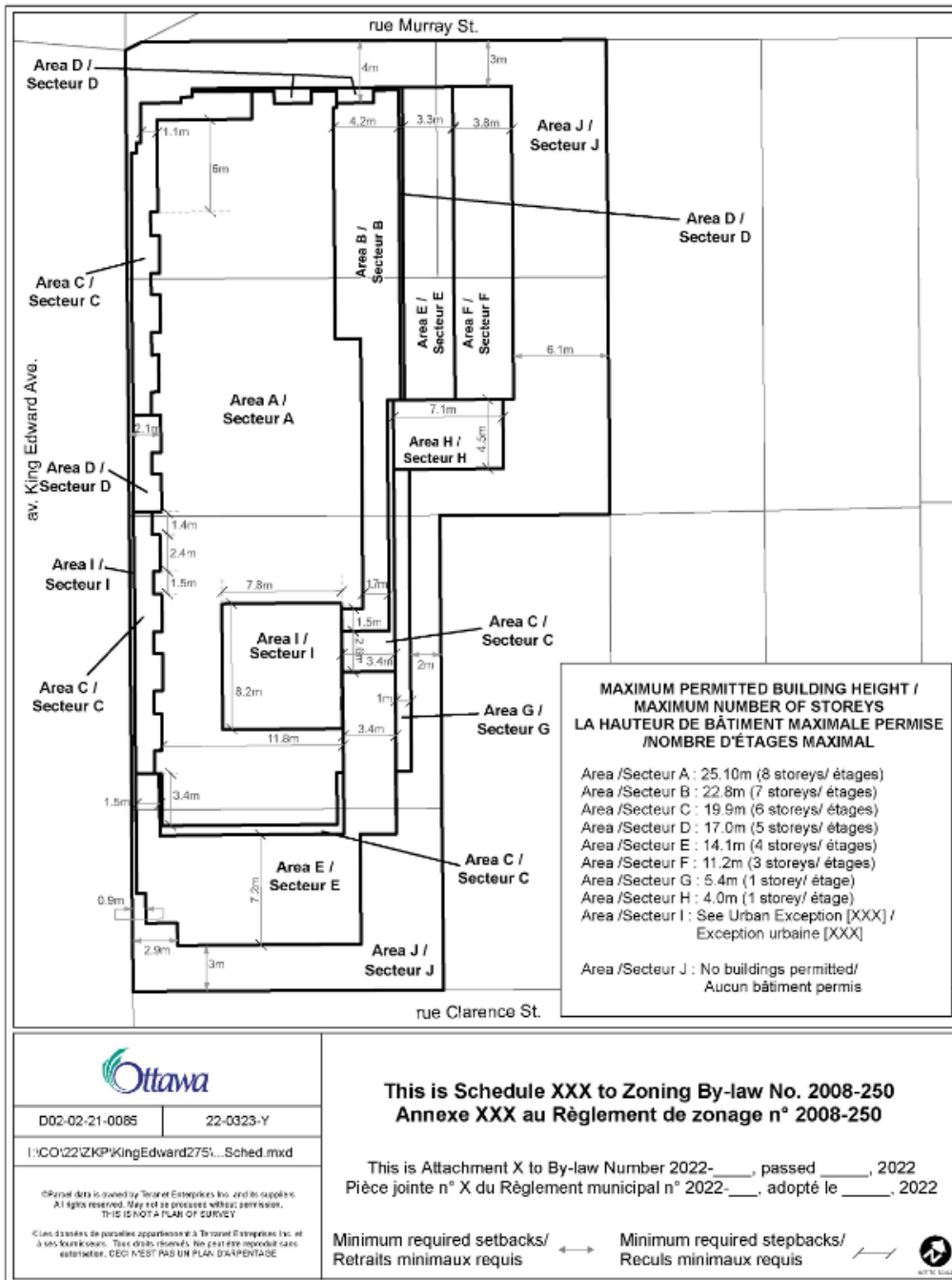
		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE 259, 260, 261, 269, 277 AVENUE KING EDWARD AVENUE 260 RUE MURRAY STREET	
D02-02-21-0085	22-0323-Y	Area A to be rezoned from TM to TM[XXXX] SXXX Area B to be rezoned from TM12 to TM[XXX] SXXX	
I:\CO\2022\Zoning\KingEdward275		Secteur A devant être rezoné de TM à TM[XXXX] SXXX Secteur B devant être rezoné de TM12 à TM[XXXX] SXXX	
<small>©Parcel data is owned by Terranet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY</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)	
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REVISION / RÉVISION - 2022 / 04 / 14			

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 259, 261, 269, 277 King Edward Avenue and 260 Murray Street.

1. To rezone the lands shown in Document 1 from TM and TM12 to TM[XXXX]SXXX
2. Add a new schedule, SXXX, as shown in Document 3 to Part 17 – Schedules.
3. Add a new exception, [XXXX], to Section 239—Urban Exceptions with provisions similar in intent to the following:
 - a) Add to Column II the text TM[XXXX] SXXX
 - b) Add to Column V, Provisions, the following text:
 - Table 197(g)(ii) does not apply.
 - Minimum yard setbacks, setbacks and maximum building height as per Schedule XXX.
 - Despite Table 197 (l)(i), the minimum width of a landscaped area in a required interior side yard is 0.86 metres.
 - Minimum number of loading spaces required: 1
 - Location of loading space: A loading space may be permitted in a rear yard which abuts a residential zone, provided adequate screening is provided.
 - A mechanical penthouse and elevator are limited to being located with an Area I on Schedule XXX and are permitted to extend above the height limit to a maximum projection of 4 metres.
 - Notwithstanding Section 107(1)(a)(iii), 113(5)(a)(ii) and 197(8)(b), the minimum aisle width required is 4.7 metres.

Document 3 – Schedule ‘XXX’: Maximum Permitted Building Height and Minimum Required Setbacks and Stepbacks



D02-02-21-0085

22-0323-Y

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

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

Minimum required setbacks/
Retraits minimaux requis

Minimum required stepbacks/
Reculs minimaux requis



Document 4 – 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. An information session was held by the Ward Councillor's Office on October 21, 2021, which was attended by the consultant, owner, Community Association, city staff, Ward Councillor, and members of the public. A total of 13 members of the public attended the session. The session was hosted via Zoom.

During the circulation period for the application, a total of 19 comments from residents were received by City staff. The Lowertown Community Association also submitted comments during the circulation period.

Public Comments and Responses

Comment: The building, proposed at eight storeys, is too high. Please lower the height to ensure the viewplane to Parliament is not obstructed. A lower building would transition better to the residential neighbourhood adjacent to it.

Response: Both the applicant and City staff have conducted analyses of the proposed building with regards to the viewplane of the Parliament Buildings from Beechwood Cemetery. The proposed building will not enter the viewplane nor will it obstruct view from Beechwood Cemetery looking towards Parliament. During the review process, the applicant has made changes to the facade, including along Murray Street, to provide greater compliance with the required angular plane and improve the transition to the residential uses at the rear.

Comment: The service entrance off of Murray Street should be re-considered. The truck traffic as well as, the overall increase in traffic will pose a risk to pedestrians and to children who reside in the community. The increase in traffic will also result in damage to homes given increased noise and vibrations.

Response: As part of the submission of this application, the applicant was required to submit a Transportation Impact Assessment (TIA). The service access at the north side of the building, from Murray Street, is restricted to garbage trucks and service vehicles. The hotel traffic has been analyzed to be a low trip generator adjacent to a major roadway. Transportation staff were circulated on the proposal and have no concerns.

Comment: The absence of setbacks to the building at 257 Clarence Street is inconsiderate of the neighbouring owner's desire to maintain their property. The setback should be 3 metres, as required by the Zoning By-law. The lack of setback proposed will negatively impact the resident and their property's value.

The structural integrity of the property needs to be protected. Furthermore, the parking garage is too close to the existing home located at 257 Clarence Street and will cause noise and light issues, negatively impacting the property and its owner. The garage should be designed in a way so as to mitigate potential negative impacts and should be further away from the house.

Response: As a result of feedback provided to the applicant, the proposed interior side yard setback has been increased to 2 metres, and setbacks have been incorporated into the proposal to permit a transition from the eighth-storey of the building to the low-rise residential uses, including 257 Clarence Street. Should the proposal be approved, the applicant will need to comply with any and all provincial regulations, requirements and any City-imposed conditions related to construction.

Comment: The proposal should respect the 45 degree angular plane requirement.

Response: During the review process, the applicant has made changes to the façade, particularly along Clarence Street and Murray Street. Although a portion of the building still extends into the angular plan, the Murray Street façade has been altered to better comply with the angular plane requirement.

Comment: The community has overlook and privacy concerns, especially given the windows proposed at the rear and on the Murray Street façade (facing Clarence Street).

Response: The façade along Murray Street has been altered by the applicant to address height and overlook concerns from members of the public, including changes to the façade, height and how the building transitions to the residential uses adjacent to the property.

Comment: It is unclear how the applicant plans to deal with security and safety on-site, especially with regards to the garbage/service access off of Murray Street.

Response: Through the review process, the applicant has agreed to add a gate along Murray Street to control access to and from the loading space and the rear of the building.

Comment: There is a very old tree in front of 257 Clarence Street. This tree should be protected.

Response: The tree in front of 257 Clarence Street is City-owned and will be protected and retained throughout construction of the proposed building. Forestry staff have reviewed the TCR and confirm that given the proposed development plan, the tree is retainable. Additionally, Forestry staff are recommending that securities be taken for the tree via the Site Plan Control process and held for a three-year period following construction after which, they will be released only when staff are satisfied that the tree is not declining as a direct result of construction.

Community Organization Comments and Responses

Following the initial circulation of both the Zoning By-law Amendment and Site Plan Control applications, the Lowertown Community Association provided the following comments. No additional comments were received at the time this report was written. Below is the original comment submission.

“The Lowertown Community Association has prepared the following initial comments setting out some concerns with the 275 King Edward Avenue proposed development. The LCA respects the Official Plan efforts to have the Traditional Mainstreet offer compact development that respects the character of the street and adjacent areas with a mix of uses and a pedestrian-friendly environment. The corresponding Design Guidelines also provide significant support to assist this goal. Given its location on the traditional main street of King Edward Avenue, this proposed development should enhance the sense of community by creating and maintaining a space with a building compatible in scale and character that recognizes the history and context of the surrounding community. For several years, the Lowertown community has been working with the city heritage planners to identify and formally recognize the cultural heritage value of the adjacent low-rise buildings on both Clarence and Murray streets.

Unfortunately, the proposed development makes no effort to reflect the street or the nearby area in terms of scale, rhythm, or design. The proposed increase in height to an eight-storey hotel and other zoning requests constitute major amendments that will impact negatively on the adjacent heritage buildings. In addition, the use of the space for a hotel with some time-share condominiums works against the need for the community to have more family-oriented housing to positively animate our streets and to build a sense of neighbourhood.

The By-law permission for a maximum height of 20-metres (six storeys) with step-backs of 2 metres above 15-metres in height will already disrupt the livability of the low-rise heritage homes along Clarence and Murray streets. Any additional height of 25.7 metres without substantial step backs will contravene the guideline for the provision of sufficient light and privacy for residential properties to the rear. As currently designed, the hotel building is incompatible with the historic fabric and appearance of the homes along Clarence and Murray streets.

The design of the hotel development and the requested zoning exceptions are contrary to the best interests of both the anticipated building residents and the surrounding neighborhood. The reduced setbacks will result in less outdoor space for hotel residents and general staff to congregate safely but also less flexibility for maintenance teams working around the building. The lack of a setback from the heritage house and outbuilding at 257 Clarence will not only cause undue adverse impact during construction but will make access for maintenance and repairs virtually impossible. This building currently on the Part IV designation list of the city is a unique design in Lowertown East and has multiple strong historical associations.

Specific design concerns raised by the Urban Design Review Panel still need to be addressed. The Clarence Street perspective was seen as particularly problematic. The request for permission to project into the 45-degree angular plane creates a major discordance of view between the hotel and 257 Clarence. The Clarence facade needs refinement to complement the existing heritage streetscape. In particular, the garage entrance placement directly beside the wrap around porch at 257 Clarence doors is inappropriate and disruptive for the residents. The height projection of the hotel visible above the heritage outbuilding at 257 Clarence needs to be reduced.

The proposed structure would also include 87 underground parking spaces with hotel vehicular access from Clarence Street and access for service vehicles off Murray Street. The traffic situation needs more fulsome assessment. The potential for increased private and retail traffic along Clarence to King Edward could add noise, vibration, parking congestion as well as other concerns.

The commercial space at grade on the west façade appears as a wall with minimal articulation rendering it out of character with other sections of King Edward Avenue. The proposed café terrace at the north side raises questions related to noise from heavy trucks and other road traffic at this intersection and also concerns about its proximity to the sidewalk traffic accessing the Shepherds shelter and the supervised consumption

site. Security for this proposed development will need to be addressed, especially at any access points or in any semi-enclosed space around the building.

As a community, we will continue to analyse the development proposal over the next weeks. We are hopeful that our concerns will be addressed.”

Response:

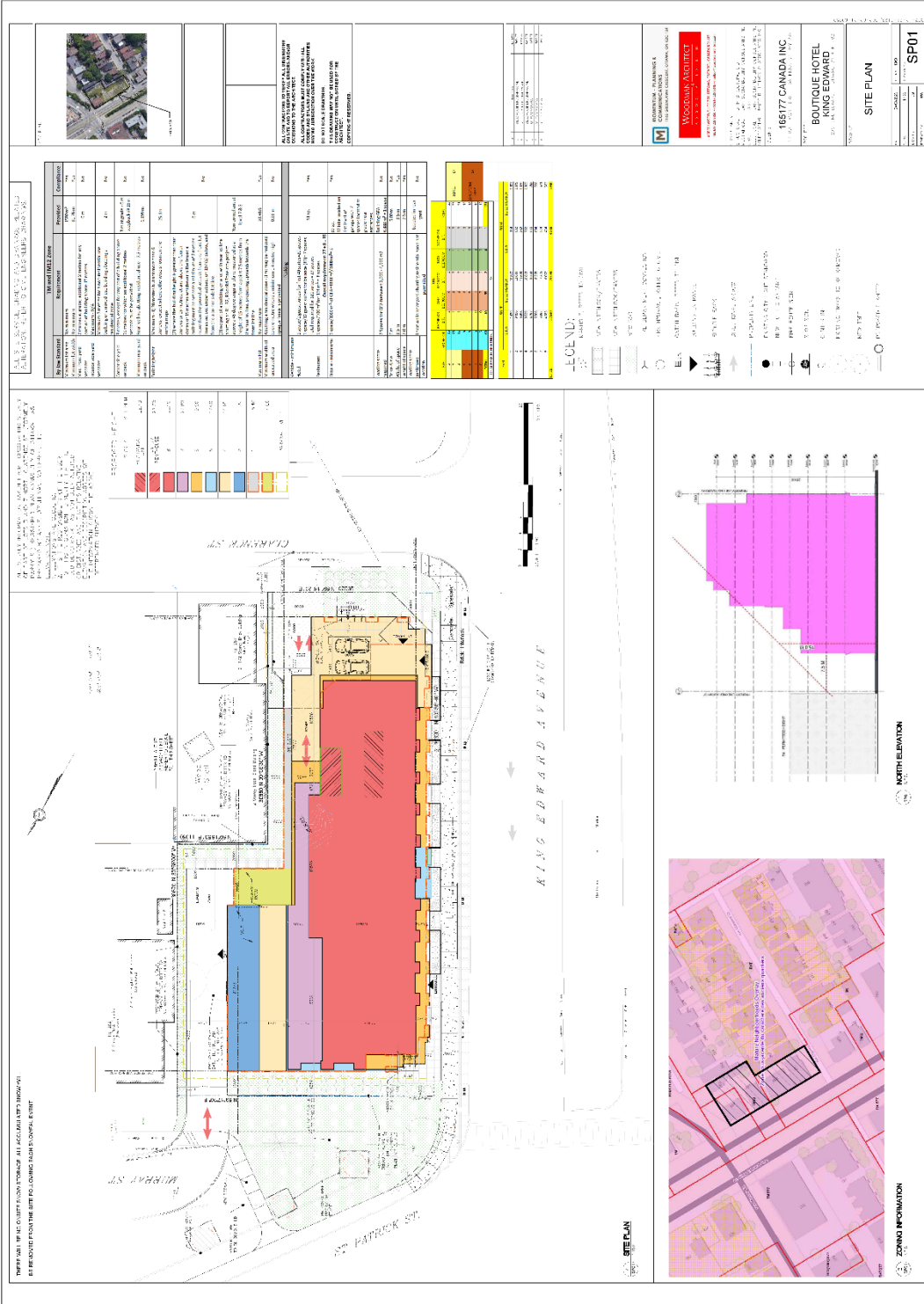
In response to comments from City staff, members of the public, and the members of the Urban Design Review Panel, the applicant has made a number of changes to the proposal, notably the following:

- Increased the interior side yard setback from 0m to 2m;
- Internalized waste storage;
- Decreased vehicular parking from 87 to 51 spaces;
- Increased bicycle parking spaces to a total of 39 spaces;
- Increased the utilization of brick as a material as well as the inclusion of masonry panels;
- Additional step backs on the upper floors have been added, particularly along the Clarence Street façade; and,
- Altered the façade along Murray Street to closer align with the angular plane requirements set out in the TM zone.

It is noted that 257 Clarence Street is currently on the City’s Heritage Register but is not designated. A request for designation of the property has been received by staff Clarence Street. This request is currently under review by Heritage Planning Staff.

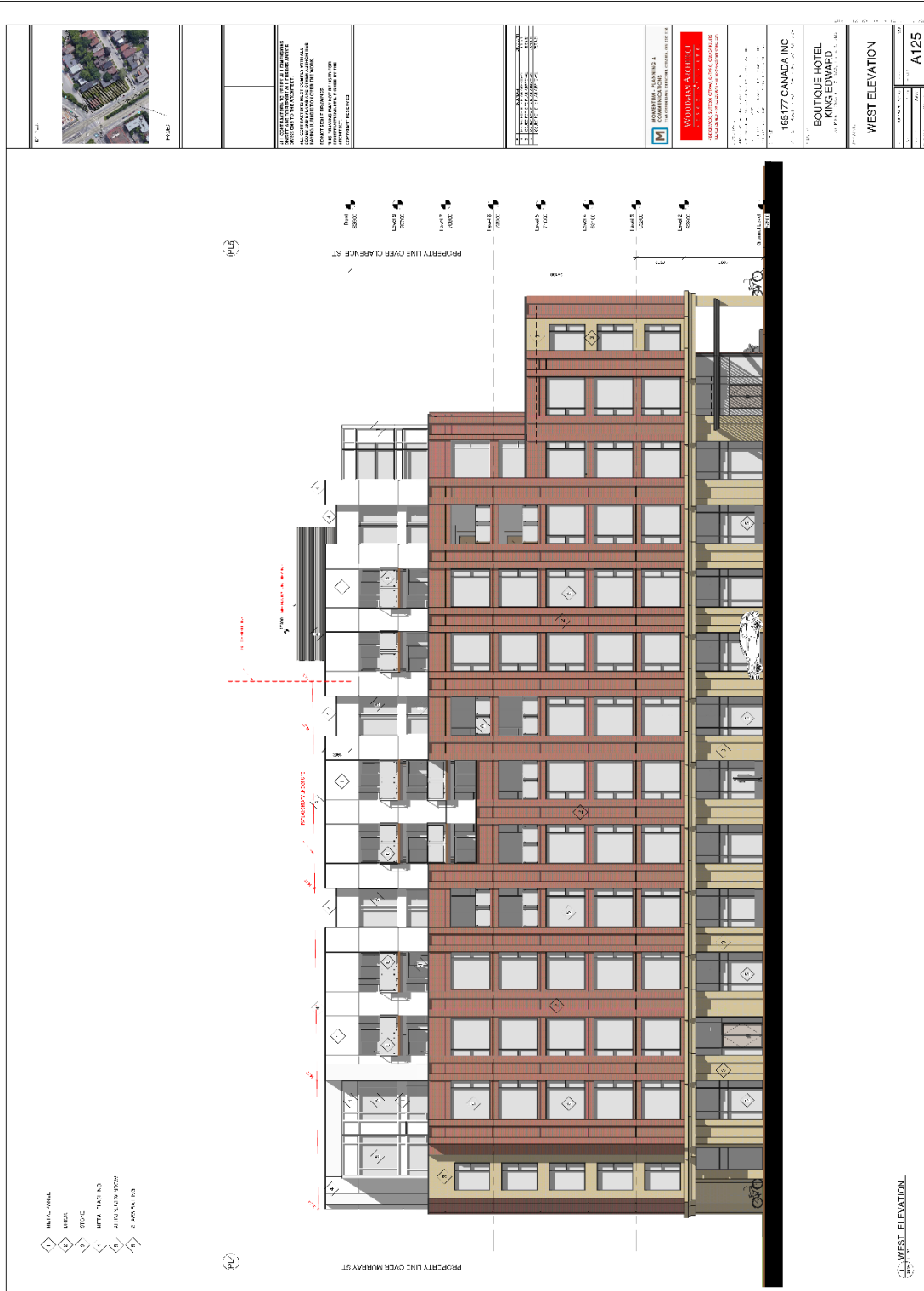
The service access at the north side of the building, from Murray Street, is restricted to garbage trucks and service vehicles. The hotel traffic has been analyzed to be a low trip generator adjacent to a major roadway. A gate is to be constructed to control access to the service entrance and loading area. It is noted that both the Crime Prevention Through Environmental Design (CPTED) Unit and Transportation staff have been involved in the review of both the Zoning By-law Amendment application and the Site Plan Control application.

Document 5 – Proposed Site Plan

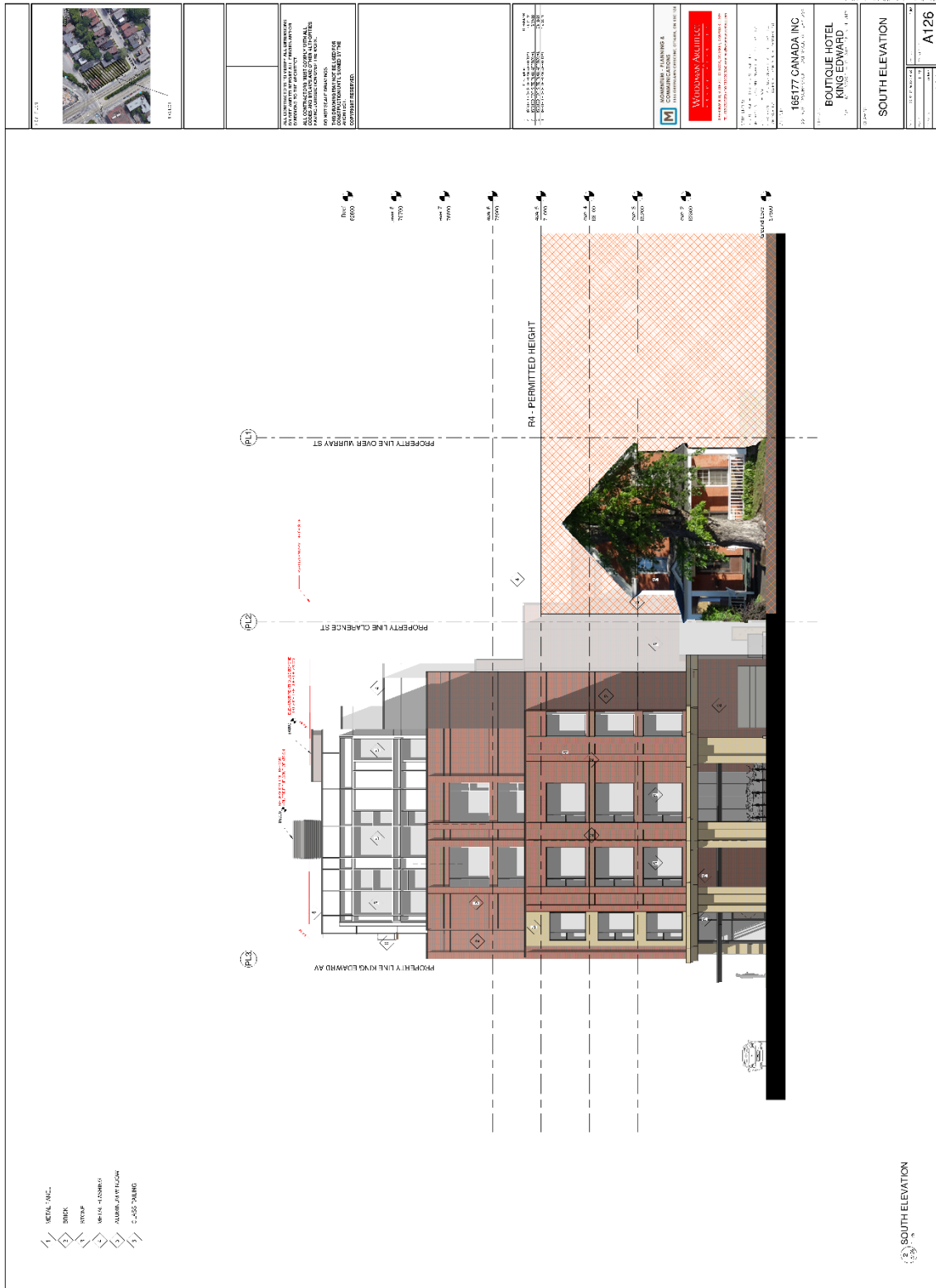


Document 6 – Proposed Building Elevations

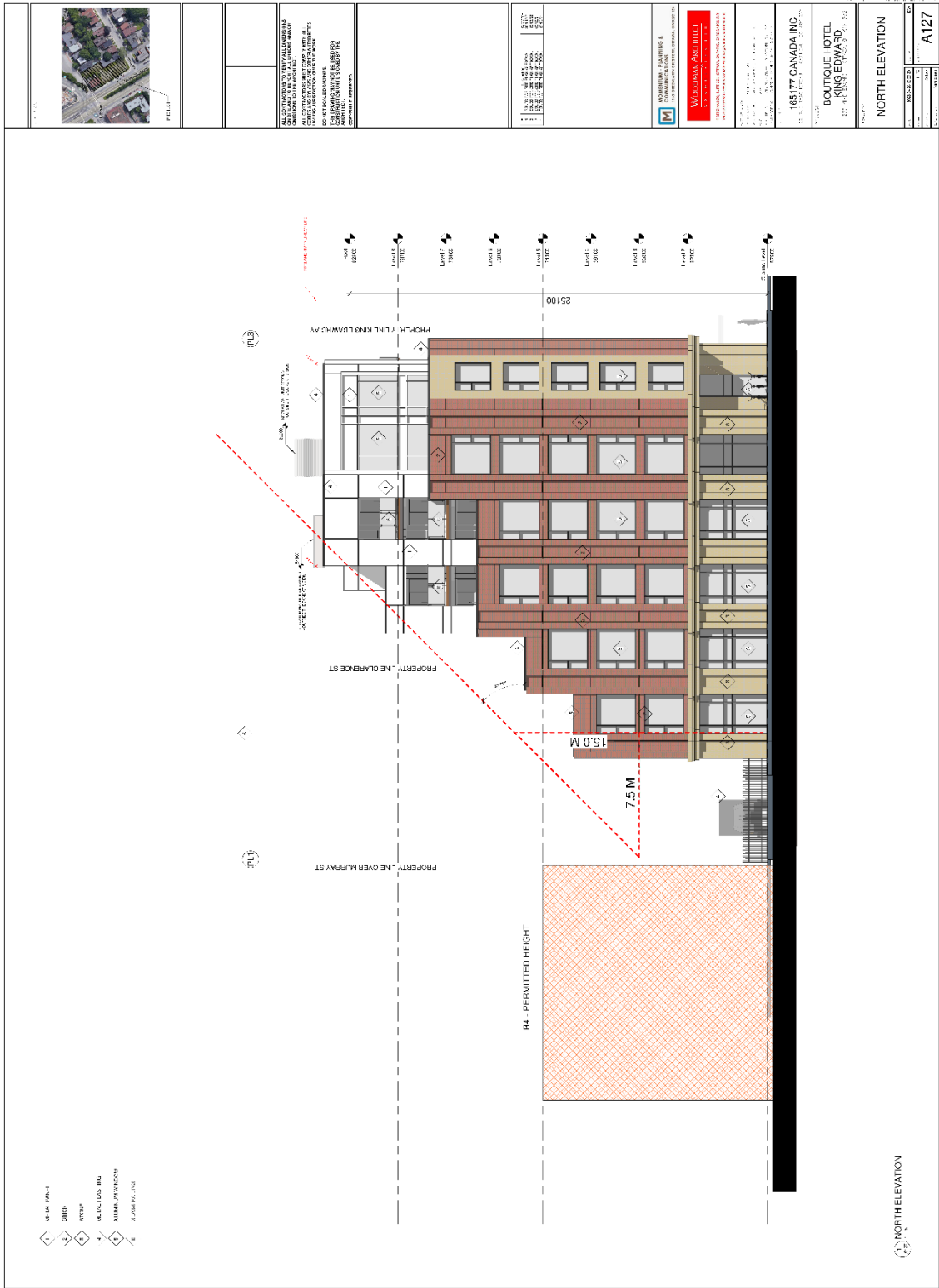
West Elevation



South Elevation



North Elevation



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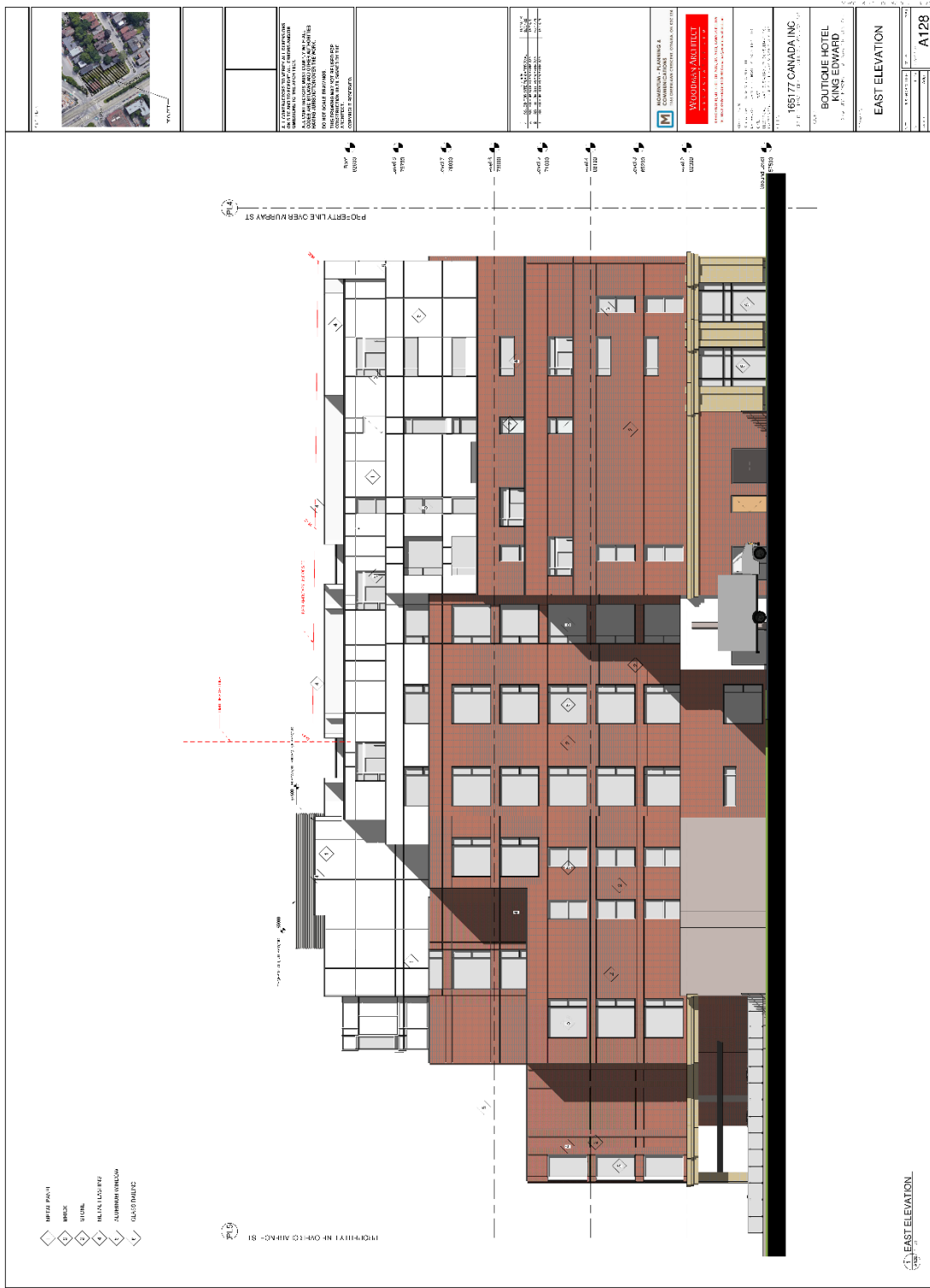
NO.	REVISION	DATE
1	ISSUE FOR PERMIT	2024.05.15
2	ISSUE FOR PERMIT	2024.05.15
3	ISSUE FOR PERMIT	2024.05.15
4	ISSUE FOR PERMIT	2024.05.15

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East Elevation



Document 7 – Viewplane Analysis



