

Subject: Zoning By-law Amendment - 1649 Montreal Road and 741 Blair Road

File Number: ACS2022-PIE-PS-0100

Report to Planning Committee on 8 September 2022

and Council 21 September 2022

**Submitted on August 25, 2022 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

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Ward: Beacon Hill-Cyrville (11)

**Objet : Modification du Règlement de zonage – 1649, chemin de Montréal et
741, chemin Blair**

Dossier : ACS2022-PIE-PS-0100

Rapport au Comité de l'urbanisme

le 8 septembre 2022

et au Conseil le 21 septembre 2022

**Soumis le 25 août 2022 par Derrick Moodie, Directeur, Services de la planification,
Direction générale de la planification, des biens immobiliers et du développement
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REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council refuse an amendment to Zoning By-law 2008-250 for 1649 Montreal Road and 741 Blair Road, as shown in Document 1, to permit a 26-storey mixed-use building, as detailed in Documents 2 and 3.**

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 September 21, 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 municipal de refuser de modifier le *Règlement de zonage n° 2008-250* pour le 1649, chemin de Montréal et le 741, chemin Blair, représentés dans la pièce 1, pour permettre d'aménager un immeuble polyvalent de 26 étages, selon les modalités précisées dans les pièces 2 et 3.
2. Que le Comité de l'urbanisme approuve l'intégration de la section Détails de la consultation du rapport dans la « brève explication » du Résumé des mémoires déposés par écrit et de vive voix, à rédiger par le Bureau du greffier municipal et à soumettre au Conseil municipal dans le rapport intitulé « Résumé des mémoires déposés par écrit et de vive voix par le public sur les questions assujetties aux "explications obligatoires" de la *Loi sur l'aménagement du territoire* à la réunion tenue par le Conseil municipal le 21 septembre 2022 », sous réserve des mémoires qui seront déposés entre la publication de ce rapport et la date à laquelle le Conseil municipal rendra sa décision.

EXECUTIVE SUMMARY

Staff Recommendation

Planning staff recommend refusal of the Zoning By-law amendment for 1649 Montreal Road and 741 Blair Road to permit a 26-storey high-rise building.

Summary of requested Zoning By-law amendment Proposal:

The applicant has requested to rezone the subject site to Arterial Mainstreet, Subzone 10 (AM10) with exceptions to permit a 26-storey high-rise, mixed-use building containing 243 residential units and 773 square metres of commercial/retail space. Approximately 369 parking spaces are proposed.

The applicant requires a Zoning By-law amendment to permit increased height (from the currently permitted 3, 4, 6 and 9 storeys, depending on the location on the site), and a reduced minimum number of parking spaces. The applicant also requires changes to frontage requirements along public street(s), including the number of active entrances, and stacked bicycle parking spaces.

It is staff's opinion that this proposal does not conform with the Official Plan policies, as implemented through its Council-approved Urban Design Guidelines for High-rise Building and Arterial Mainstreets. The proposed high-rise fails to demonstrate appropriate and effective transition from the adjacent and established low-rise residential area. The tower floor plate and massing of the building are excessive for the site and the context. The proposal does not meet the objective of creating a well-framed and animated public realm through the design of the podium base of the building.

Applicable Policy

The proposed Zoning By-law amendment does not conform with the following Official Plan policies: Policy 12 of Section 3.6.3 - *Mainstreets*; Design Objective 4 of Section 2.5.1 – *Designing Ottawa*; and, Policies 1, 5, 10, 12 and 13 of Section 4.11 – *Urban Design and Compatibility*. The proposal also does not follow directions provided in the Council-approved *Urban Design Guidelines for Development along Arterial Mainstreets* and the *Urban Design Guidelines for High-rise Buildings*. Policy 12 of Section 3.6.3 states that on Arterial Mainstreets, unless a secondary plan states otherwise, building heights up to 9 storeys may be permitted as of right. In the absence of a secondary plan, high-rise buildings may be permitted when subjected to a Zoning By-law amendment and only where the building is located at one or more of the following nodes: (a) within 400 metres walking distance of a designated rapid transit station; (b) directly abutting an intersection of the Mainstreet with another Mainstreet or a designated transit priority corridor; or, (c) directly abutting a Major Urban Facility; and where the development provides a community amenity and adequate transition to adjacent low-rise.

Although the site meets criterion (b), it fails to demonstrate how adequate transition to the adjacent low-rise residential zone has been provided.

Staff have evaluated the proposal against the applicable urban design and compatibility policies in Sections 2.5.1 and 4.11 of the Official Plan (OP). Design Objective 4 of Section 2.5.1 requires new development to respect the character of existing areas. This site fronts onto an Arterial Mainstreet corridor with a planned function to create an enhanced pedestrian and public realm within a predominantly mid-rise built-form-scape.

This corridor must also respect and transition to any existing low-rise residential character that is planned to remain. Policies 1, 5, 10, 12 and 13 of Section 4.11 and its implementing Design Guidelines support and expand upon this design objective.

The Council-approved Urban Design Guidelines for Development along Arterial Mainstreets and Urban Design Guidelines for High-rise Buildings have been used in the assessment of this Zoning By-law amendment. Planning staff have requested, starting at the pre-consultation stage, that a second pre-consultation be held as the proposed site development was considered premature. As part of the Design Brief, by virtue of Policy 1 of Section 4.11 of the OP, several site plan and massing options, including cross-sections, 3D perspectives, and sun-shadow and wind studies were requested. The options were to illustrate its relationship to the street(s), scale, and massing via the as-of-right, “in-between” alternatives and the current site development for one to arrive at a preferred option and height maximum to best satisfy policies 5, 10, 12 and 13 of Section 4.11 as well as policy 12 of Section 3.6.3 and Section 2.5.1. Each alternative or option was to employ a 45-degree angular plane analysis and other design measures. To date, the applicant has not provided the requested alternatives or, at minimum, a concept that addresses the concerns outlined in the body of this report.

In support of its 26-storey building proposal, the applicant submitted renderings for an alternative option that is more in keeping with the current zoning. This option assumes that the AM10 zone is extended to the northern portion of the property, known as 741 Blair Road. In support of this proposal, the applicant would be required to obtain permission to rezone 741 Blair to permit this alternative proposal. The rendering provided shows a large nine-storey building that consumes most of the site, leaving little room for amenity area. Staff are of the opinion that neither the proposed 26-storey building or 9-storey alternative are in accordance with the Official Plan policies or applicable Council-approved guidelines. To address this, staff requested that the applicant provide an option that strives to balance concerns related to building transition, height, orientation, and massing. The applicant has refused to provide a revised proposal to address staff’s concerns, which is why the application review is at a standstill.

In addition to failing to effectively demonstrate transition measures to make the scale and massing more compatible with the existing low-rise residential context, the applicant also fails to demonstrate design measures to make the site and building more animated along the streets.

Staff agree that additional height and density (beyond 9 storeys) could be contemplated at this location, but that any increases in height must be in keeping with the Official Plan and Council-approved Design Guidelines for Arterial Mainstreets and for High-rise Buildings. In staff's analysis, to meet these objectives, a lower building height combined with a smaller tower and potential reshaped floor plate at approximately 750m² can help to improve transition and compatibility aspects of the design. Considerations may also be given to the re-orientation of the tower where the wider side of the tower faces Montreal Road resulting in increased distance of the tower from the low-rise residential areas.

There are also opportunities to refine the design for the base, or podium, of the building to foster a closer relationship to the streets and corner and create more active building frontages.

It should be noted that even if the application was to be approved, a holding zone would have to be applied, as servicing constraints have been identified in the area. Community amenity negotiation remains unresolved and would also need to be further explored.

Other Matters

Urban Design Review Panel

The property is within a Design Priority Area and the Zoning By-law amendment application was subject to the Urban Design Review Panel (UDRP) process. The applicant and consultants presented their proposal to the UDRP at a formal review meeting held on September 10, 2021. The Panel did not support the proposed height at this location and believes the proponent ought to consider a mid-rise typology with a greater urban relationship to the streets.

Panel's recommendations are attached as Document 8.

Matter Appealed to the Ontario Land Tribunal

On June 7, 2022, the applicant appealed the Zoning By-law amendment application to the Ontario Land Tribunal because of the municipality's failure to make a decision within 90 days of the City's receipt of the application.

Public Consultation/Input

A formal City-organized public information session was held on September 10, 2021 via Zoom. City staff received over 400 written public comments in response to the notice of the Zoning By-law amendment application, the vast majority of whom opposed the

compatibility, scale, massing, density and traffic impacts related to the proposal. A summary of the public comments and staff responses are provided in Documents 6 and 7

SYNTHÈSE ADMINISTRATIVE

Recommandation du personnel

Le personnel des Services de planification recommande de refuser la modification que l'on propose d'apporter au *Règlement de zonage* pour le 1649, chemin de Montréal et le 741, chemin Blair afin de permettre d'aménager un immeuble de grande hauteur de 26 étages.

Synthèse de la proposition de modification demandée pour le Règlement de zonage

Le requérant demande de rezoner le site visé pour en faire une artère principale de la sous-zone 10 (AM10), en prévoyant des exceptions pour permettre d'aménager un immeuble polyvalent de grande hauteur de 26 étages regroupant 243 logements et s'étendant sur une superficie commerciale et de détail de 773 mètres carrés. On propose d'aménager environ 369 places de stationnement.

Le requérant doit faire apporter une modification au *Règlement de zonage* pour augmenter la hauteur du bâtiment (par rapport au nombre d'étages permis à l'heure actuelle, soit 3, 4, 6 et 9 étages, selon la localisation sur le site), de même que pour aménager un nombre minimum réduit de places de stationnement. Le requérant doit aussi apporter des changements à la façade obligatoire donnant sur les rues publiques, dont le nombre d'entrées actives et les espaces de stationnement superposés pour les vélos.

Le personnel de la Ville est d'avis que cette proposition n'est pas conforme aux politiques du Plan officiel, telles qu'elles sont mises en œuvre dans le cadre des Lignes directrices d'esthétique urbaine pour les habitations de grande hauteur et pour l'aménagement des grandes artères. L'immeuble de grande hauteur proposé ne fait pas état d'une transition appropriée et efficace par rapport à la zone résidentielle de faible hauteur attenante et établie. La superficie au sol et la volumétrie de la tour du bâtiment sont excessives pour le site et pour le contexte. La proposition ne répond pas à l'objectif de création d'un domaine public bien encadré et animé grâce à la conception du socle du podium de l'immeuble.

Politique applicable

La modification que l'on propose d'apporter au *Règlement de zonage* n'est pas conforme aux politiques suivantes du Plan officiel : la politique 12 de la section 3.6.3 (Rues principales); l'objectif de conception 4 de la section 2.5.1 (Concevoir Ottawa); de même que les politiques 1, 5, 10, 12 et 13 de la section 4.11 (Conception urbaine et compatibilité). La proposition ne respecte pas non plus les orientations définies dans les Directives d'esthétique urbaine pour l'aménagement des grandes artères et les Lignes directrices d'esthétique urbaine pour les habitations de grande hauteur, approuvées par le Conseil municipal. La politique 12 de la section 3.6.3 précise que sur les artères principales, sauf indication contraire dans un plan secondaire, on peut autoriser de plein droit les bâtiments dont la hauteur peut atteindre neuf étages. S'il n'y a pas de plan secondaire, on peut autoriser l'aménagement de bâtiments de grande hauteur lorsqu'ils sont assujettis à une modification du *Règlement de zonage* et uniquement dans les cas où ces bâtiments sont situés dans au moins un des nœuds suivants : a) dans un rayon de 400 mètres à pied d'une station désignée pour le transport en commun rapide; b) directement à côté d'une intersection de la rue principale avec une autre rue principale ou avec un couloir prioritaire de transport en commun désigné; ou c) directement à côté d'une grande infrastructure urbaine; de même que dans les cas où le projet d'aménagement prévoit des commodités communautaires et une transition adéquate avec les immeubles de faible hauteur non loin de là.

Bien qu'il réponde au critère b), le site ne démontre pas comment on s'y est pris pour assurer une transition adéquate avec la zone résidentielle de faible hauteur attenante.

Le personnel de la Ville a évalué les propositions par rapport aux politiques applicables à l'esthétique urbaine et à la compatibilité dans les sections 2.5.1 et 4.11 du Plan officiel (PO). L'objectif de conception 4 de la section 2.5.1 oblige à respecter, dans les nouveaux aménagements, le caractère des zones existantes. Ce site donne sur le couloir d'une artère principale dont la fonction planifiée est de créer un domaine piétonnier et public rehaussé, dans une silhouette de forme bâtie essentiellement de moyenne hauteur. Ce couloir doit aussi respecter le caractère résidentiel de faible hauteur existant, que l'on prévoit de conserver, et assurer la transition avec ce caractère résidentiel. Les politiques 1, 5, 10, 12 et 13 de la section 4.11 et leurs directives sur l'esthétique à mettre en œuvre viennent appuyer et étoffer cet objectif de la conception.

Les Directives d'esthétique urbaine approuvées par le Conseil municipal pour l'aménagement des grandes artères et les Lignes directrices d'esthétique urbaine également approuvées par le Conseil municipal pour les habitations de grande hauteur ont été consultées dans l'évaluation de cette modification que l'on propose d'apporter

au *Règlement de zonage*. Le personnel des Services de planification a demandé qu'à partir de l'étape de la préconsultation, une deuxième préconsultation ait lieu, puisqu'on a jugé prématuré l'aménagement proposé du site. Dans le cadre du Mémoire de conception, en vertu de la politique 1 de la section 4.11 du Plan officiel, on a demandé plusieurs options dans le plan d'implantation et la volumétrie, dont des vues en coupe transversales, des perspectives en 3D et des études de l'ombre et du vent. Ces options devaient illustrer les liens avec les rues, l'échelle et la volumétrie en faisant appel à différentes solutions « intermédiaires » de plein droit, et l'aménagement actuel du site devait d'abord déboucher sur une option privilégiée et une hauteur maximum pour répondre le mieux possible aux exigences des politiques 5, 10, 12 et 13 de la section 4.11, de la politique 12 de la section 3.6.3 et de la section 2.5.1. Chaque solution ou option devait faire appel à une analyse du plan angulaire de 45 degrés et à d'autres mesures de conception. Le requérant n'a pas, jusqu'à maintenant, déposé les différentes solutions demandées ni, au minimum, un avant-projet qui réponde aux inquiétudes exprimées dans le texte de ce rapport.

Pour justifier sa proposition d'immeuble de 26 étages, le requérant a soumis des rendus pour une solution qui respecte mieux le zonage actuel. Cette solution suppose que la sous-zone AM10 est prolongée jusqu'au nord de la propriété, soit le 741, chemin Blair. Pour justifier sa proposition et pour pouvoir la réaliser, le requérant devrait obtenir l'autorisation de rezoner le 741, chemin Blair. Le rendu déposé fait état d'un grand immeuble de neuf étages qui occupe l'essentiel du site, ce qui ne laisse guère de place pour l'aire d'agrément. Le personnel de la Ville est d'avis que ni l'immeuble proposé de 26 étages, ni la solution de neuf étages ne respecte les politiques du Plan officiel, ni les directives applicables approuvées par le Conseil municipal. Pour corriger ce problème, le personnel de la Ville a demandé au requérant de déposer une option qui tâche d'harmoniser les inquiétudes liées à la transition, à la hauteur, à l'orientation et à la volumétrie des bâtiments. Le requérant a refusé de déposer une proposition révisée pour répondre aux inquiétudes du personnel, ce qui est la raison pour laquelle l'examen de la demande est bloqué.

En plus de ne pas réussir à démontrer efficacement les mesures de transition pour veiller à ce que l'échelle et la volumétrie s'harmonisent mieux avec le contexte résidentiel de faible hauteur existant, le requérant ne réussit pas non plus à faire état de mesures de conception permettant de mieux animer le site et le bâtiment le long des rues.

Le personnel de la Ville est d'accord pour dire que l'on pourrait envisager à cet endroit une hauteur et une densité supplémentaires (au-delà de neuf étages), mais que les

augmentations de la hauteur doivent respecter le Plan officiel et les Directives d'esthétique urbaine approuvées par le Conseil municipal pour l'aménagement des grandes artères et pour les habitations de grande hauteur. Dans l'analyse du personnel de la Ville, on peut, afin d'atteindre ces objectifs, réduire la hauteur du bâtiment, prévoir une tour plus modeste et ramener à environ 750 m² la superficie au sol potentielle remaniée afin d'améliorer les aspects de la conception se rapportant à la transition et à la compatibilité. On peut aussi envisager de réorienter la tour à l'endroit où le côté plus large de cette tour donne sur le chemin de Montréal, ce qui a pour effet d'accroître la distance entre la tour et les zones résidentielles de faible hauteur.

On a aussi l'occasion d'affiner la conception du socle de l'édifice, soit le podium, pour favoriser un rapprochement avec les rues et le coin, de même que pour doter l'immeuble de façades plus actives.

Il faut noter que même si la demande devait être approuvée, il faudrait différer l'aménagement de cette zone, puisqu'on a constaté qu'elle comporte des contraintes de viabilisation. Les problèmes relatifs aux commodités communautaires et à l'article 37 restent sans solution : il faudrait aussi se pencher plus attentivement sur ces problèmes dans le cadre du processus de modification du *Règlement de zonage*.

Autres questions

Comité d'examen du design urbain

La propriété fait partie d'un secteur prioritaire de conception, et la demande de modification du *Règlement de zonage* était soumise à l'étude du Comité d'examen du design urbain (CEDU). Le requérant et les experts-conseils ont présenté leur proposition au CEDU à l'occasion d'une réunion formelle d'examen qui s'est déroulée le 10 septembre 2021. Le CEDU n'a pas avalisé la hauteur proposée sur ce site et croit que le promoteur devrait envisager une typologie de moyenne hauteur, selon une relation urbaine plus étroite avec les rues.

Les recommandations du Comité sont reproduites dans la pièce 8.

Affaire portée en appel devant le Tribunal ontarien de l'aménagement du territoire

Le 7 juin 2022, le requérant a déposé un appel dans la demande de modification du *Règlement de zonage* devant le Tribunal ontarien de l'aménagement du territoire parce que la municipalité n'avait pas réussi à rendre de décision dans les 90 jours de la date de réception de la demande par la Ville.

Répercussions financières

La demande n'a pas encore permis d'établir une convention selon l'article 37.

Consultation et avis du public

Une séance officielle d'information publique organisée par la Ville a eu lieu le 10 septembre 2021 dans Zoom. Plus de 400 commentaires publics écrits ont été adressés au personnel de la Ville pour donner suite à l'avis de la demande de modification du *Règlement de zonage*; la grande majorité s'opposait à la compatibilité, à l'échelle, à la volumétrie, à la densité et aux répercussions sur l'achalandage dans le cadre de la proposition. Le lecteur trouvera dans les pièces 6 et 7 la synthèse des commentaires du public et des réactions du personnel de la Ville.

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

1649 Montreal Road and 741 Blair Road

Owner

Bertone Montreal Road LP (Michael Bertone)

Applicant

FoTenn Consultants c/o Miguel Tremblay, Partner

Architect

Roderick Lahey & Architects

Description of site and surroundings

The site is composed of two parcels of land, 1649 Montreal Road and 741 Blair Road. The site is at the northeast corner of Montreal Road and Blair Road. The subject site fronts along Montreal Road, a commercial arterial corridor. This site is adjacent to the Rothwell Heights residential community. The two parcels have a combined lot width of approximately 40 metres along Montreal Road and a lot depth of approximately

74 metres along Blair Road. The total lot area of the site is approximately 4,903 square metres. The site slopes from the northeast corner towards the southwest. The site contains a vacant single detached dwelling as well as an active autobody shop.

Surrounding land uses include low density residential to the north, zoned R1, that permits detached dwellings and assorted commercial uses to the east and south. A federal campus exists to the west and southwest. Document 1 includes a Location Map of the property and its surroundings.

Summary of requested Zoning By-law amendment proposal

The applicant has requested a Zoning By-law amendment to permit a 26-storey mixed-use high-rise building at this location. The applicant seeks to amend the maximum building height to 88 metres. The proposed Zoning By-law Amendment seeks to introduce a site-specific height schedule and exception to permit the higher height, new stepbacks and setbacks, a reduced minimum number of parking spaces, stacked bicycle parking spaces and to change the AM10's performance standards for building frontage requirements along a street, including the number of active entrances. The proposed development would achieve 243 residential units and approximately 773 square metres of commercial/retail space. The applicant's proposed Zoning By-law amendment is further detailed in Documents 2 and 3.

The northern half of the site, 741 Blair Road, is currently zoned Residential Third Density Zone, Subzone K, Exception 1631 (R3K[1631]). The purpose of the Residential Third Density Zone is to allow a mix of low-rise residential building forms in areas designated General Urban Area and to regulate development in a manner compatible with existing land use patterns so the mixed dwelling, residential character of a neighbourhood is maintained or enhanced.

The southern half of the site, known municipally as 1649 Montreal Road, is currently zoned Arterial Mainstreet, Subzone 10, Urban Exception 2199 (AM10[2199]) in the City Zoning By-law 2008-250. The AM zone and its subzones promote intensification while ensuring there is compatibility with surrounding uses whose planned function is to remain low-rise. Subzone 10 permits medium to high density residential uses, such as low and mid-rise apartment dwellings, stacked dwellings and townhouse dwellings, as well as a broad range of mixed, compatible uses including retail, service commercial, office and institutional uses. Subzone 10 of the Arterial Mainstreet zone recognizes a graduated approach culminating to a maximum nine storey mid-rise typology furthest away from existing residential zones. The maximum building height in this subzone is 30 metres and is to be provided 30 metres or more away from established residential

zones. Other graduated maximum building heights of 20 and 11 metres apply within less than 30 and 20 metres respectively, of abutting low-rise residential zones. This subzone also focuses on creating strong, animated street edges to promote an enhanced pedestrian and public realm.

Ontario Land Tribunal

On June 7, 2022, the applicant appealed the Zoning By-law amendment application to the Ontario Land Tribunal because of the municipality's failure to make a decision within 90 days of the City's receipt of the application.

Brief history of proposal

In 2009, 741 Blair Road (located on the northern half of the site) was subject to an OMB Order, File #PL081069. The OMB order was issued on April 1 and 28, 2009. It established a maximum of nine dwelling units at this portion of the site, in accordance with the permitted uses under the R3K zone or its additional list established under Exception 1631, which includes a planned unit development, detached dwelling, semi-detached dwelling, duplex, three-unit dwelling, and townhouse dwelling containing three dwelling units.

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by City Council for Zoning By-law amendments. City staff received over 400 written public comments in response to the notice of the Zoning By-law amendment application. The majority opposed the scale, massing, compatibility, density and traffic impacts related to the proposal. A formal City-organized public information session was held via Zoom on September 10, 2021. The applicant, landowners, Councillor Tim Tierney, Rothwell Heights Property Owners Association and approximately 180 were in attendance. A summary of the public comments and staff responses have been provided in Documents 6 and 7.

Official Plan designation(s)

If a complete Zoning By-law amendment application is received by no later than the day before the new Official Plan (OP) is adopted, it will be processed on the basis of existing Official Plan policy provided it is consistent with the 2020 Provincial Policy Statement.

This Zoning By-law amendment was received prior to the adoption of the new Official Plan and is therefore subject to the existing Official Plan policies.

Current Official Plan

The site is designated General Urban Area and Arterial Mainstreet on Schedule B of the current OP.

The General Urban Area designation applies to 741 Blair Road. This designation permits a full range and choice of housing types and densities to meet the needs of all ages, incomes and life circumstances. The OP promotes opportunities for intensification where appropriate. The OP allows intensification in the General Urban Area designation, which comprises much of the Urban Area. In such cases, the scale of intensification and the heights and density of development will vary depending on factors such as the existing built context and proximity to major roads and transit. In this designation, heights are restricted to low-rise.

The southern portion of the site (1649 Montreal Road) is designated Arterial Mainstreet. The applicable policies set out in Section 3.6.3 - Mainstreets offer significant opportunities for intensification through medium-density and mixed-use development along transit priority corridors or streets that are well-served by transit. Arterial Mainstreets are intended to evolve over time into more compact, pedestrian-oriented and transit-friendly places via a mix of compatible uses, including retail, commercial, offices, residential and institutional uses. The Official Plan generally supports mid-rise buildings up to 9-storeys along Arterial Mainstreets.

Policy 3 of Section 3.6.3 states that the Arterial Mainstreet designation generally applies to the whole of those properties fronting on the road. For very deep lots, the designation will be generally limited to a depth of 400 metres from the Arterial Mainstreet. The boundary may also be varied, depending on site circumstances and lot configuration. It may also include properties on abutting side streets that exist within the same corridor.

Policy 12 of Section 3.6.3 states, where in the absence of a secondary plan, high-rise development proposals on Arterial Mainstreets may be permitted subject to a Zoning By-law amendment and where the building is located at one or more of the following nodes: (a) within 400 metres walking distance of a designated rapid transit station; (b) directly abutting an intersection of the Mainstreet with another Mainstreet or a designated transit priority corridor; or (c) directly abutting a Major Urban Facility; and where the development provides a community amenity and adequate transition to adjacent low-rise buildings. The policy also states that the Zoning By-law may establish

as-of-right building heights lower than nine-storeys where site conditions, existing character and compatibility with adjacent development dictate a lower building form to be appropriate.

Development proposals on Arterial Mainstreets are also subject to the policies in Section 2.5.1 and 4.11. The proposed development must demonstrate how it enhances and coexists with existing development without causing adverse impact on how surrounding properties function. To implement the OP policies, the City uses a combination of legislative and administrative tools to pursue a comprehensive urban design strategy. This strategy includes the use of Council-approved Design Guidelines. Criteria used to evaluate a proposal's massing, scale plus its compatibility within certain contexts are set out in *Urban Design and Compatibility* Section 4.11 of the OP.

Land use designations such as General Urban Area and Mainstreets contain broad use permissions and it then becomes necessary under a Zoning By-law to establish more specific permitted use lists and performance standards for areas and sites to achieve compatibility among proximate uses and built forms.

Policy 1 of Section 4.11 sets out a requirement for a Design Brief as part of a complete development review application, except where identified in the Design Brief Terms of Reference. The focus of this required Brief varies depending on the nature of the development and context. A Design Brief shall evaluate consistency and demonstrate that the OP policies have been considered and/or incorporated into the development proposal's site and building.

Policies 5 and 10 of Section 4.11 address the importance of compatibility for new building design via height, massing and scale and how the proposal is to fit with the surrounding buildings, the existing desirable character as well as the planned function of the surrounding context:

Policy 5

5. Compatibility of new buildings with their surroundings will be achieved in part through the design of the portions of the structure adjacent to existing buildings and/or facing the public realm. Proponents of new development will demonstrate, at the time of application, how the design of their development fits with the existing desirable character and planned function of the surrounding area in the context of:
 - a) Setbacks, heights and transition;
 - b) Façade and roofline articulation;

- c) Colours and materials;
- d) Architectural elements, including windows, doors and projections;
- e) Pre- and post-construction grades on site; and
- f) Incorporating elements and details of common characteristics of the area.

Policy 10

10. Where a secondary planning process establishes criteria for compatibility of new development or redevelopment in terms of the character of the surrounding area, the City will assess the appropriateness of the development using the criteria for massing and scale established in that Plan. Where there are no established criteria provided in an approved Plan, the City will assess the appropriateness of the proposal relying upon its approved Design Guidelines, as applicable, and the following criteria:

- A) Building height, massing and scale permitted by the planned function of adjacent properties as well as the character established by the prevailing pattern of abutting development and development that is across the street;
- B) Prevailing patterns of rear and side yard setbacks, building separation and landscaped open spaces and outdoor amenity areas as established by existing zoning where that pattern is different from the existing pattern of development;
- C) The need to provide a transition between areas of different development intensity and scale as set out in policy 12 of this section.

Policies 12 and 13 focus on the effective transition or integration of buildings that have greater height or massing than their surrounding context through incremental changes (i.e. via the lens of angular planes and stepping a building profile up and down) in building height, variation in building form and building setbacks. This transition is an important building design measure to minimize impacts of scale and massing when development that is taller than the existing context is proposed. Proposals taller in height are to demonstrate effective transition in both height and massing, as per Policies 1, 12 and 13 and via the strategies broached in the Design Brief and applicable Design Guidelines.

Policy 12

12. Transition refers to the integration of buildings that have greater height or massing than their surroundings. Transition is an important building design element to minimize conflicts when development that is higher or has greater massing is proposed abutting established or planned areas of low-rise development. Proponents for developments that are taller in height than the existing or planned context or are adjacent to a public open space or street shall demonstrate that an effective transition in height and massing, that respects the surrounding planned context, such as a stepping down or variation in building form has been incorporated into the design.

Policy 13

13. Building height and massing transitions will be accomplished through a variety of means, including:
- a) Incremental changes in building height (e.g. angular planes or stepping building profile up or down);
 - b) Massing (e.g. inserting ground-oriented housing adjacent to the street as part of a high-profile development or incorporating podiums along a Mainstreet);
 - c) Building setbacks and stepbacks.

New Official Plan

The site is identified within the Outer Urban Transect Policy Area on Schedule A and is designated Mainstreet Corridor with an Evolving Overlay in the City of Ottawa's new Official Plan (new OP).

The Corridor designation applies to bands of land along specified streets whose planned function combines a higher density of development, a greater degree of mixed uses and a higher level of street transit service than abutting Neighbourhoods, but lower density than nearby Hubs.

The new OP supports high-rise buildings along Mainstreet Corridors if two conditions are met. The Right-of-Way (after dedication to City if applicable) is 30m or more in width and if transitioning between a proposed high-rise and adjacent low-rise within the Neighbourhood designation has been met. The transitioning is guided by a Zoning By-law amendment process and any applicable Urban Design Guidelines (i.e. stepbacks, setbacks and angular planes). High-rise buildings are to be designed to respond to

context and transect area policies. Floorplate size should generally be limited to 750 square metres for residential buildings and 2000 square metres for commercial buildings.

Other applicable policies and guidelines

Development proposals along Arterial Mainstreets are evaluated using the Urban Design Guidelines for Development along Arterial Mainstreets (UD Guidelines for Arterial) and when applicable, by the Urban Design Guidelines for High-Rise Buildings (UD Guidelines for High-Rise), which were Council-approved on May 24, 2006 and May 2018, respectively.

The UD Guidelines for Arterial Mainstreets provides urban design guidance to assess, promote and achieve appropriate site and building relationships to the street. The guidelines speak to the establishment of a strong street edge, promotion of an enhanced pedestrian public realm and provision of transition in the scale and density of the proposed building when located next to low-rise neighbourhoods. The UD Guidelines for High-Rise establish general principles for the design of high-rise buildings. This document provides guidance on three key design principles: understanding of the existing and planned context; achieving desirable built form; and enhancing the pedestrian realm. When used together, urban design measures enable a comprehensive analysis to establish appropriate building height transition and create an enhanced relationship for the proposed development to streets and other public realms. These measures include a review of setbacks, stepbacks, orientation and floor plate size. The use of the 45-degree angular plane helps establish preferred maximum heights, whereas a review of scale of podium bases at the ground floor is done to establish effective relationships between the street and public realm.

Urban Design Review Panel

The property is within a Design Priority Area and the Zoning By-law Amendment application was subject to the Urban Design Review Panel (UDRP) process. The applicant presented their proposal to the UDRP at a formal review meeting on September 10, 2021, which was open to the public. The panel's recommendations from the formal review of the Zoning By-law Amendment application are attached as Document 8. The Panel did not support the proposed height at this location and believes the proponent ought to consider a mid-rise typology with a greater urban relationship to the streets.

The Department accepts and supports the comments and concerns raised by the Panel.

To date, the Panel's recommendations have not been addressed by the applicant.

Planning rationale

Planning staff are of the opinion that the proposed development does not conform with the Official Plan, specifically Policy 12 of Section 3.6.3, Section 2.5.1, and policies 1, 5, 10, 12, and 13 of Section 4.11. In addition, it does not follow the OP's implementing Design Guidelines.

The proposed Zoning By-law amendment seeks to introduce a site-specific schedule and exception to reduce the minimum number of parking spaces, permit stacked bicycle parking spaces and to change the AM10's performance standards for height, stepbacks, setbacks, building frontage requirements along streets and its corners as well as its number of active entrances.

The mixed-use 26-storey building proposal does not meet many of the zoning permissions under the AM10 subzone. Staff are also of the opinion that the applicant has not met city requirements needed to support extending the AM10 zone to 741 Blair Road. The applicant has not had regard for the 'formula' that helps create a mid-rise typology within a graduated approach towards existing low-rise residential. They have failed to meet other existing zone performance standards that help create an active, animated street edge, leading to disharmony with the zone and subzone's intent. The current subzone has a requirement for at least 50% of any building wall to be within three metres of intersecting property line with the street and have a minimum of one active entrance *per individual occupancy*, to its street(s) and corner lot lines.

The maximum building height within this Subzone is 30 metres (approximately nine-storeys), provided it is more than 30 metres away from existing residential zones. More restrictive graduated maximum building heights of 11 metres (three-storeys) and 20 metres (six-storeys) apply within less than 20 and 30 metres, respectively, of abutting low-rise residential zones.

The exceptions being sought to the front and corner lot lines do not create a strong, animated street edge or enhance the public realm. The exceptions and height schedule being sought to create new setbacks, stepbacks and height maximums also do not provide a well thought out transition for the proposed scale and massing. This is a proposal with its own new performance standards that does not provide adequate transition to the adjacent low-rise residential development to the north and continues to lack a relationship to the streets.

Staff have evaluated the proposal against the applicable urban design and compatibility policies in Sections 2.5.1 and 4.11 of the OP. Design Objective 4 of Section 2.5.1 requires new development to respect the character of existing areas. The site fronts onto an Arterial Mainstreet corridor with a planned function to create a more urban street edge within mid-rise typologies but it is also to respect the existing low-rise residential character and planned function to its north. Policies 1, 5, 10, 12 and 13 of Section 4.11 and its implementing Council-approved Design Guidelines support and expand upon how to fulfill these policies and objectives.

Policy 12 of Section 3.6.3 states that on Arterial Mainstreets, high-rise buildings may only be permitted subject to a Zoning By-law amendment and where the building is located at one or more of the following nodes: (a) within 400 metres walking distance of a designated rapid transit station; (b) directly abutting an intersection of the Mainstreet with another Mainstreet or a designated transit priority corridor; or (c) directly abutting a Major Urban Facility; and where the development provides a community amenity and adequate transition to adjacent low-rise buildings. The site meets locational criterion (b). It however does not meet adequate transition to the adjacent low-rise residential uses. This same policy also states that the Zoning By-law may establish as-of-right building heights *lower* than nine storeys where site conditions, existing character and compatibility with adjacent development dictate a lower building form to be appropriate.

The Council-approved Urban Design Guidelines for Development along Arterial Mainstreets and Urban Design Guidelines for High-rise Buildings have also been used in the assessment of the proposal. Planning staff have requested, starting at the pre-consultation stage, that a second pre-consultation be held as the proposed site development was considered premature. As part of the Design Brief, by virtue of Policy 1 of Section 4.11 of the OP, several site plan and massing options, including cross-sections, 3D perspectives, and sun-shadow and wind conclusions were requested. The options were to illustrate its relationship to the street(s), scale, and massing via the as-of-right, “in-between” alternatives and the current site development for one to arrive at a preferred option and height maximum that best satisfies policies 5, 10, 12 and 13 of Section 4.11 as well as Policy 12 of Section 3.6.3 and Section 2.5.1. Each alternative or option was meant to employ a 45-degree angular plane analysis and other design measures. To date, the applicant has not provided the requested alternatives, or at minimum, a concept that addresses the concerns outlined in this report. Design measures to make the site and building more animated along the streets and transition measures to make the scale and massing more compatible with the existing low-rise residential context has also not been demonstrated effectively. City

staff are also not prepared to support a reduction to the parking standards without further study. A proposed overall reduction of 0.5 spaces per residential unit (residential and visitor spaces), based on 243 proposed dwelling units appears to be premature. There is potential for spill-over parking and no plan for where it can be accommodated. There are no proposed transportation demand management measures being introduced for the proposal either, such as transit passes for residents, spaces for car co-operatives, car sharing spaces and/or enhanced end of trip cycling facilities. There is also no forecasted City date or budget for the implementation of transit priority measures towards the closest Light Rail Station, which is 1.8 kilometres away. Even though Montreal Road is an Arterial Mainstreet and a Transit Priority Corridor and an Environmental Assessment (Montreal-Blair Road Transit Priority Corridor) is underway, no specific date to implement measures that will reduce the obstacles faced by a transit user has been identified.

It is staff's opinion that the proposed zoning provisions detailed in Documents 2 and 3 cannot be supported. The schedule and exceptions that propose a building with a reduced relationship to the two streets along with zoning envelope, via setbacks, stepbacks and height maximums, provides a scale and massing that does not meet the compatibility and transition policies of the OP and its implementing guidelines. In this case, building heights greater than nine-storeys do not conform with the Arterial Mainstreet policies of the OP. To garner staff support for the proposal, a comprehensive graduated 45-degree angular plane as well as the use of other design measures, to help determine appropriate maximum building heights and relationships to the streets needs to be explored further.

It should also be noted that any subsequent site plan control approval should be subject to a holding zone as servicing constraints have been identified in the area and for this proposal. Community amenity negotiations apply but remain unresolved under this Zoning By-law amendment process.

We still await the proponent's resolution to these matters.

Provincial Policy Statement

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

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Tierney provided the following comments:

“Thank you for the opportunity to provide comments on this proposed development.

My office has organized and facilitated numerous meetings, comprised of concerned community members and community associations, since this application was filed.

We are unanimous in our opposition to this development.

Although open to intensification at this location, this proposal is mammoth for this property parcel and, in no way, fits the character of the neighbourhood.

I would also highlight the fact that the UDRP presented a scathing rebuke, aligning with community opposition.

I would urge you to reject this application.”

LEGAL IMPLICATIONS

This matter has been appealed to the Ontario Land Tribunal on the basis that a decision was not made within 90 days. A case management conference has been scheduled for October 6, 2022. If the refusal is sustained by Council, it is anticipated that a one week hearing will be required. It is anticipated that evidence in support of the refusal can be provided by internal resources. Should Council determine to approve the application, and the resulting by-law be appealed to the Tribunal, it would be necessary to retain an external planner, and likely an external witness with expertise in urban design.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

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 associated with the report recommendations. In the event that the application is approved and appealed, it would be necessary to retain external resources. This expense would be funded from within Planning Services' operating budget.

ACCESSIBILITY IMPACTS

The new development will be required to meet the accessibility criteria contained within the *Ontario Building Code*.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priority:

- Thriving Communities

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-21-0038) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity of the issues associated with the application.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Height Schedule

Document 3 Details of Applicant's Requested Zoning

Document 4 Conceptual Site Plan

Document 5 Conceptual Models & Perspectives of 26-Storey Building

Document 6 Consultation Details

Document 7 Rothwell Heights Property Owners' Association Comment Letter/Joint Notice with Councillor Tim Tierney

Document 8 Urban Design Review Panel Comments

CONCLUSION

The department recommends refusal of this application. The proposed Zoning By-law amendment does not respond to applicable planning policies set out in the Official Plan nor the direction provided by both staff and the Urban Design Review Panel. The proposal fails to meet the direction provided in the Urban Design Guidelines for Development along Arterial Mainstreets and for High-rise Buildings, particularly with respect to transition to neighbouring low-rise buildings, building massing and height as well as the public realm. The proposed development is of a scale and form that does not

respect the character of the adjacent low-rise residential neighbourhood nor fit well within the site's existing and planned context. The department concludes that the relationship of the building to the two public streets that form the public realm has not been maximized and the proposed massing and scale remains incompatible and out of context with the neighbourhood.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; 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

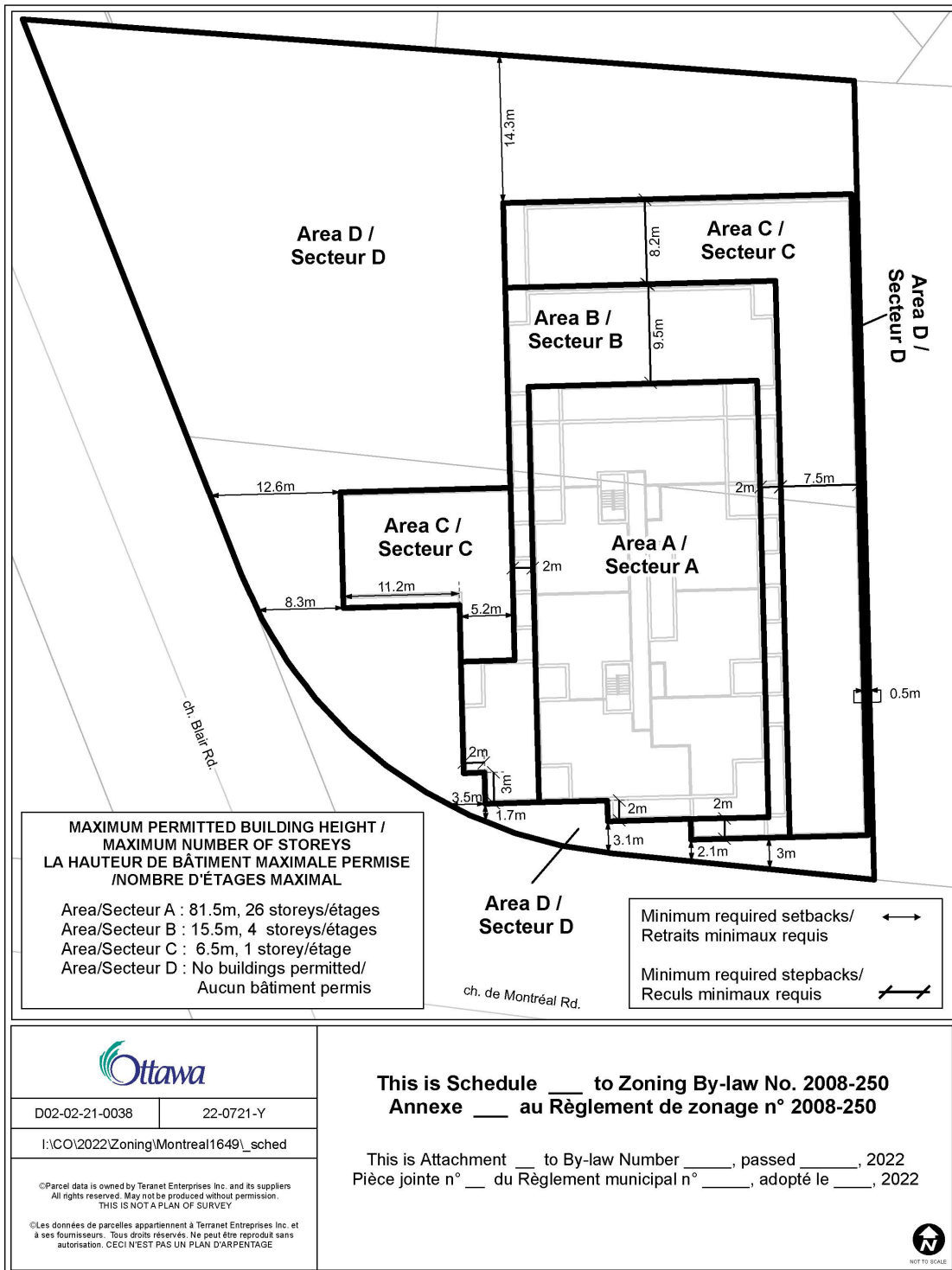
For an interactive Zoning map of Ottawa visit geoOttawa

The subject site is in eastern Ottawa and is located on the southeast corner of Montreal Road and Blair Road.



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE 1649 CHEMIN DE MONTRÉAL ROAD 741 CHEMIN BLAIR ROAD	
D02-02-21-0038	22-0721-Y		
I:\CO\2022\Zoning\Montreal1649			
<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> <small>©Les données de parcelles appartiennent à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CE CI N'EST PAS UN PLAN D'ARPENTAGE.</small>			
REVISION / RÉVISION - 2022 / 07 / 15		Area A to be rezoned from R3K[1631] to AM10[XXXX]SYYY-h Area B to be rezoned from AM10[2199] to AM10[XXXX]SYYY-h Secteur A devant être rezoné de R3K[1631] à AM10[XXXX]SYYY-h Secteur B devant être rezoné de AM10[2199] à AM10[XXXX]SYYY-h	
		 <small>NOT TO SCALE</small>	

Document 2 – Height Schedule



Document 3 – Details of Applicant’s Requested Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1649 Montreal Road and 741 Blair Road:

1. Rezone the lands shown in Document 1 from R3K[1631] and AM10[2199] to AM10[XXXX]SYYY-h
2. Amend Part 17, by adding a new Schedule “YYY” as shown in Document 2.
3. Add a new exception, XXXX, to Section 239 – Urban Exceptions with provisions similar in effect to the following:
 - a. In Column V, add the following:
 - i. Building setbacks and maximum permitted building heights as per schedule ‘YYY’.
 - ii. Along Blair Road frontage section 185, Subsection 10 (b) (i) and Section 185, Subsection 10 (h) do not apply.
 - iii. Section 185 (10) (g) does not apply and a minimum of one active entrance per non-residential ground floor occupancy with frontage onto Montreal Road is required.
 - iv. Section 185 (10) (e) does not apply and any portion of a building located within 10 metres of a front lot line or corner lot line must satisfy the following minimum building height: 5.0 metres.
 - v. Section 101 does not apply and the minimum parking space rate is 0.7 parking spaces per residential unit.
 - vi. Minimum bicycle parking space dimensions and bicycle parking access aisle width shall not be enforced as there will be stacked bicycle parking provided.
 - vii. Holding zone provision for resolution of servicing constraints, community benefits negotiation

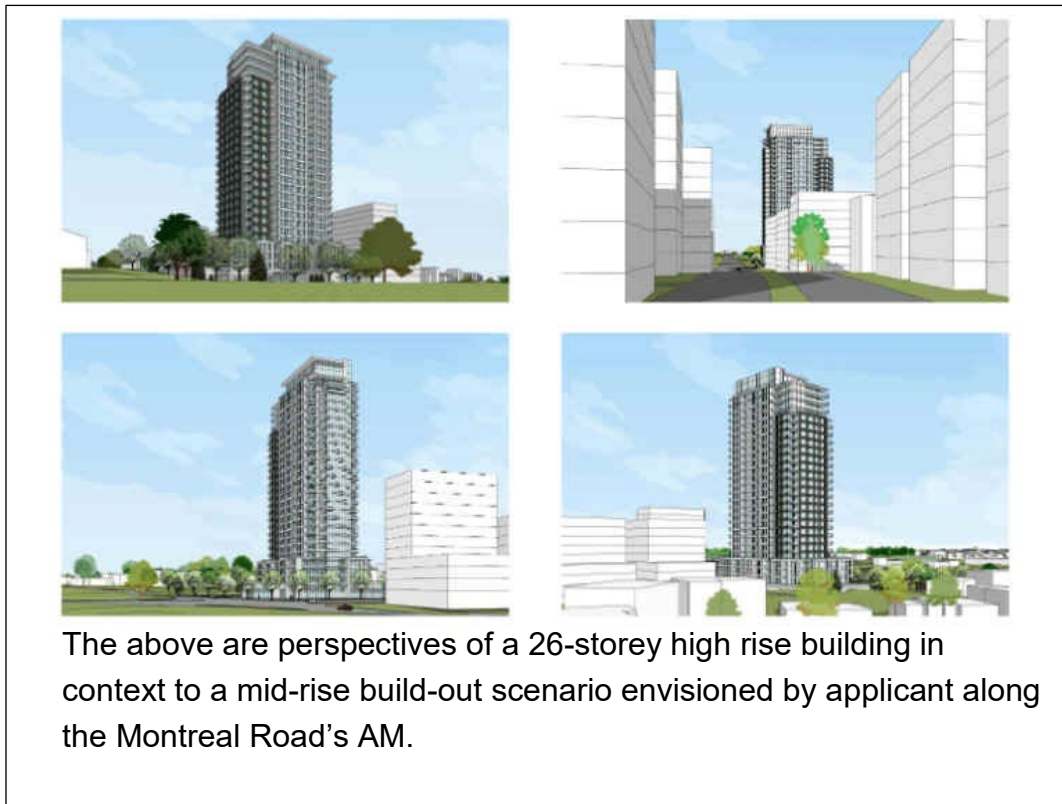
Document 4 – Conceptual Site Plan



Document 5 – Conceptual Models and Perspectives of 26-Storey Building



The above is a model showing existing typologies with a full-build-out scenario envisioned by applicant along the Montreal Road's AM corridor as well as its request for a 26-storey high rise building.



The above are perspectives of a 26-storey high rise building in context to a mid-rise build-out scenario envisioned by applicant along the Montreal Road's AM.



VIEW FROM MONTREAL ROAD



VIEW FROM MONTREAL / BLAIR CORNER



VIEW FROM BLAIR ROAD



VIEW FROM MONTREAL ROAD

The above are ground-floor perspectives of the 26-storey high rise building along Montreal Road and Blair Road.

Documents 6 – Consultation Details

Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by City Council for Zoning By-law amendments. City staff received over 400 written public comments in response to the notice of the Zoning By-law amendment application, the vast majority of which opposed the compatibility, density and traffic impacts related to the proposal. Approximately 6 residents supported the proposal. A formal City-organized public information session was held via Zoom on September 10, 2021.

A summary of the public comments and staff responses are provided below.

Public Comments and Responses

Comment: Sun shadowing and loss of passive sunlight into their backyards and roofs.

Response: Staff reviewed the sun-shadow study submitted in support of the development proposal. Staff will evaluate the shadow impacts of any future revised or new development application for the site.

Comment: Views into people's low rise homes' backyards and interior spaces (privacy).

Response: Impacts caused by the proposed development on the abutting residents' enjoyment of their properties would be evaluated and addressed in further detail during the review and evaluation of a future application for Site Plan Control approval.

Comment: Property values decreasing adjacent to and in proximity to this proposed development.

Response: Property value is not a consideration in the assessment of a Zoning By-law amendment application.

Comment: Exacerbating vehicular traffic and failing LOS at City intersection,

Response: Staff recognize that any development proposals for sites along or near Montreal Road, including the proposed development, would require adjustments in travel behavior, spreading of peak hour demand to off peak hours and use of alternative modes of travel. Transportation demand management measures would need to be incorporated to mitigate any projected impacts. This will be further reviewed under a site plan control scope – an application that may come in the future. To be clear though, the

City of Ottawa's traffic unit does not identify the LOS at the intersection to be failing. Also, the site intersects the Montreal Arterial Mainstreet design priority area. In Design Priority Areas, all public projects, private developments, and community partnerships within the public realm will be reviewed for their contribution to an enhanced pedestrian environment and their response to the distinct character and unique opportunities of the area. The public realm/domain refers to all those private and publicly owned spaces and places, which are freely available to the public to see and use.

Comment: Reduction in the required number of parking spaces under this proposal will lead to spill-over parking on adjacent streets.

Response: Staff are not prepared to reduce parking standards without further study. Please note though, on-street parking on nearby local streets is permitted at specified times and durations.

Comment: The LRT does not and will not service this area. The development is too far from the existing station. The proposed high-density development would generate more traffic and the quality of bus services is inadequate. A development of this size would be better suited near a dedicated transitway, such as LRT.

Response: The development site is approximately 1.8 kms away from the nearest existing LRT station (Blair Station). However, Montreal Road is a designated transit priority corridor in the City's Official Plan. Blair Road is also a designated transit priority corridor, albeit with isolated measures. The estimated transit trips generated by the proposed development could be accommodated by the high frequency Route 12. There is also Routes 23 or 15 available. There is an Environmental Assessment, Montreal-Blair Road Transit Priority EA, underway to support the Transportation Master Plan's expansion and improvements to public transit along Montreal Road, which is expected to introduce sufficient capacity to accommodate anticipated development transit demand in the future.

Comment: Safety of proposed access location (crossing an existing bike-lane),

Response: Review of the transportation study submitted in support of the development proposal has not identified any safety concerns with the bike lane that exists at this location.

Comment: Compatibility/transition (privacy) adjacent to low-rise homes is weak.

Response: Please read the planning rationale of this report.

Comment: With ensuing pandemic new concern: the whole intensification/densification process, including developing mass transit initiatives needs to be re-examined.

Response: The COVID-19 pandemic amplified the importance of making sure we plan and design our communities to support resiliency and well-being. Resiliency is the ability to adapt and thrive in the face of shocks and disrupters. Resiliency underpins many of the Official Plan policies and will help to protect Ottawa from major future disrupters, such as public health crises. This includes policies that support resiliency through equity and inclusion, health, climate, mobility, housing, urban design and greenspaces. Transmissibility of COVID-19 is related to crowding and social practices rather than density.

Comment: High-rise proposals and heights ought to be solely concentrated directly within 600 metres of LRT stations and not backing onto existing low-rise residential building forms.

Response: There is flexibility in the Official Plan to consider at times a high-rise development in proximity to low-rise residential forms (typologies), provided there is adequate space for transition and compatibility.

Comment: At one point there was a request to put traffic moderation (stops) on Blair Road because people were speeding down the hill. The traffic calming measure was never introduced as it was stated the fire trucks were at their limit in order to reach inside Rothwell Heights in appropriate time. With the additional traffic resulting from this proposal, will this not technically affect a fire engine's response time to the area? A significant amount of people in Rothwell Heights may have greater costs for fire insurance.

Response: Planning, Real Estate and Economic Development Department has checked with the Emergency and Protective Services Department (EPS) of the City. There is no ongoing identified concern at EPS with respect to response times to service Rothwell Heights.

Comment: Has the City consulted with the Federal Campus and government, i.e. the abutting landowners to the west, regarding this proposal?

Response: The City has been in discussions with the federal government and these discussions have been passed back to the applicant.

Comment: The proposed rezoning and development will tremendously increase traffic-generated noise, thereby disturbing the tranquility of the neighbourhood.






Response: The impact of noise caused by the proposed development on the surrounding properties would be addressed in detail during the review and evaluation of a future application for Site Plan Control approval.

Community Organization Comments and Responses

Comments were received from representatives of the Rothwell Heights Property Owners' Association in concert with the Councillor of the Ward, Councillor Tim Tierney. The letter is attached as Document 7.

Most of the Association's comments are similar in nature to the public comments and responses outlined and addressed above.

Document 7 – Rothwell Heights Property Owners' Association Comment Letter/Joint Notice with Councillor Tim Tierney

		
<p>RE: 26-storey Development Application at Montreal Road x Blair Road July 2021</p>		
<p>Dear Residents,</p>		
<p>A 26-storey, 243-unit mixed-use residential high-rise development has been proposed for the northeast corner of Blair and Montreal Roads. Current zoning at 1649 Montreal Road allows for a 9-storey building. The developer has therefore submitted a rezoning application to the City in order to obtain permission for the increased height. To review the developer's detailed "Planning Rationale and Design Report" and other supporting documents on the City's website, visit www.1649montreal.ca.</p>		
<p>The RHPOA has been collecting community feedback on this application and the feedback has been clear: A development of this height and scale is incompatible with the surrounding area. The Rothwell Heights Property Owners' Association, together with the Ward 11 Councillor's Office, strongly oppose this application.</p>		
<p>Community support matters; to be effective, we need your help. You are encouraged to submit your preliminary concerns and constructive comments on this application to the City during the formal comment period, which ends on July 9. Please note that your input to the City Planner is also welcomed throughout the application process and until the file goes to Planning Committee (expected in the Fall).</p>		
<p>We have highlighted below a few of our most serious policy concerns found in the application:</p>		
<p>Building Height. The current zoning on Montreal Road allows for nine-storey development as-of-right. A building height greater than this does not allow for appropriate transitions to adjacent communities. <small>(Sections 3.6.3, 4.11, Policy 5 (a) and 10, Urban Design Guidelines 1.13, 1.17, 2.37, 2.33)</small></p>		
<p>Building Design. Of foremost concern is that the building design does not have adequate transitioning to adjacent communities. This will result in an 88m building directly abutting residential two-storey homes and bungalows. Sightlines from mid to upper floors compromise privacy for adjacent low-rise development, which is exacerbated in winter months. The design also negatively impacts wind levels and creates significant shadowing effects year-round on the neighbouring community. <small>(Sections 3.6.3, 4.11, Policy 5 (a)(d) and 10, Urban Design Guidelines 1.13 and 1.17)</small></p>		
<p>Transit Services and Density. The proposed development is located 1.8km from the nearest current or planned rapid transit station, whereas the City's guidelines and policies designate the highest density of development, including high-rise buildings, be within 400m of a rapid transit station. Further, neighbourhoods characterised as transit-oriented development should be within 600m of a rapid transit station. This development would place high demand on what is now a limited transit network leading to a greater reliance on automobiles, which is contrary to the City's Climate Change plan and goals for transportation modal shift. <small>(Sections 2.5.13; 3.6.3 Policy 12, Transit-Oriented Development Guidelines; OPA 150, LPAT Decision October 22, 2018)</small></p>		
<p>Vehicular Traffic. Rothwell Heights is a heavily car-dependent community. It is bounded by the NRC, a suburban campus with large distances between buildings, and by existing low-rise commercial development. The proposed design anticipates being car-dependent; however, it would accommodate only 307 parking spaces, whereas zoning provisions require 418 parking spaces. This suggests a likely overflow of on-street parking on neighbouring residential streets and on commercial properties. <small>(Bylaw 2016-249, Table 101; 4.11 Policy 5 (f))</small></p>		
<p>Please submit your comments to the City by visiting www.1649montreal.ca and clicking "Send Feedback".</p>		
<p>To receive updates on the progress of the application and other news affecting the community, please sign up to receive the RHPOA newsletter by emailing info@rhpoa.ca.</p>		
<p>Our collective voices, both individually and through the RHPOA, need to be heard. We hope you will share in our effort to oppose this application at the gateway of our community.</p>		
 Tim Tierney Councillor, Ward 11 tim.tierney@ottawa.ca	 Jane Brammer Chair, RHPOA tower@rhpoa.ca	 Bryan Rawlings Chair, 1649 Montreal Subcommittee 1649montreal@gmail.com

Document 8 - Urban Design Review Panel Comments

1649 Montreal Road | Formal Review | Zoning By-law Amendment | Bertone Development Corporation; rla / architecture; Fotenn Planning + Design



Summary

- The Panel thanked the proponent for the presentation noting the building's elegant architectural expression and well-articulated and proportioned base.
- The Panel is of the opinion that the architecture of the site, in isolation, is skillful and the preservation of the existing trees and the addition of commercial uses at grade are an asset to the neighbourhood. However, the Panel struggled to understand the rationale for the proposed density and height on this site given the surrounding context.

Context

- The Panel noted the project's aspirations are urban, however there are issues with the proposed built form, which is less urban, setting the development back from the street. The Panel is also concerned with the proposed height when the development is viewed within the surrounding suburban context, where there are no buildings of similar height in the neighbourhood.

The Panel noted that the parking lot south of Montreal Road has the potential for redevelopment, which could create a gateway into the neighbourhood. However, a more substantial planning rationale is needed to support the proposed tower form and height in this location.

Height and Massing

- Panel believes additional studies of built form approaches should be presented including those which better frame both streets. The panel also requested an analysis of the soft development sites in the area, in addition to the angular plane diagram, to understand the rationale behind the height increase.
- The Panel does not support the proposed height at this location and believes the proponent should consider a mid-rise typology.

Public Realm and Site Circulation

- The Panel supports Option 1 for the POPS. The efforts made by the proponent to address the grade changes, by proposing an amphitheatre and the generous amount of open space provided for the community's benefit, are commendable.
- The Panel believes the drop-off area should be revisited. The proponent should consider internalizing the loading area and making the drop-off one-way to diminish the vehicular movement and create a more contiguous relationship between the indoor and outdoor amenity area.