

Rortar Land Development Consultants

47 Moore St. Richmond, ON
K0A 2Z0

Tel. (613) 323 2146
email: rortar9@gmail.com

Committee of Adjustment

Received | Reçu le

2023-05-15

City of Ottawa | Ville d'Ottawa

Comité de dérogation

May 6, 2023

Secretary Treasurer,
Committee of Adjustment
City of Ottawa
101 Centrepointe Dr.
Ottawa, Ontario
K2G 5K7

Re: Application for Minor Variance – 1375 Hemlock Road, 1345 Hemlock Road and 375 Codd's Road

Rortar Land Development Consultants (a division of Demarco Construction) has been retained by the owner of the lands, acting as agent for Bayview Wateridge Inc ('Bayview') to submit Minor Variance applications on their behalf which will permit the 2 m building setback at the fourth storey be relocated to the fifth storey (Section 188 GM31(31)(c).

This letter will introduce the proposed development and site context, summarize the requested variances from Zoning By-law 2008-250, and demonstrate that the variances meet the four tests outlined in Section 45 of the Planning Act.

SITE CONTEXT

The subject blocks are in Phase 2 of the Wateridge Village and known legally as Parts of Blocks 11 and 12 4M-1651. The Blocks are centrally located in Wateridge Village and will be at the corner of Hemlock Road, Codd's Road, Tawadina St. Barielle-Snow St and Michael Stoqua St. The Blocks are the furthest east parcel of Wateridge Village Phase 2 and forms part of the community core and will comprise of mid-rise mixed uses.



Figure 1 – Location Map

Phase 2 of the Wateridge Development Plan is conveniently located close to existing employment, retail, transit, and greenspace. As the CFB Rockcliffe site is the last undeveloped piece of land inside Ottawa's Greenbelt, development in the community will have access to existing and established amenities in the surrounding urban area. The site is located in an area surrounded by greenspace systems along Sir George Etienne (Rockcliffe and Aviation Parkways), the Montfort Woods, and a densely treed escarpment overlooking the Ottawa River. The site is approximately 7 kilometers east from the downtown core and 600 metres north of the Montfort Hospital and NRC to the east. Development is currently underway within the Wateridge Community with several blocks under construction. West of the site is vacant and comprises future development Phase 4. The community park to the south is under construction, and east of the site is also vacant and will undergo development in the short term as part of Phase 2. South of the site is the Mattamy Mid-rise Mixed-Use development as approved in Phase 1B of the Wateridge Development Plan.

Development Proposal

The proposed Site Plan Control Application and related technical studies, plans and reports envision the development of residential units contained within three proposed buildings. The development includes landscaped areas, at grade visitor parking, underground parking, loading

areas with the predominant use being a mix of residential with commercial uses. Private laneways with elevated landscape treatments will provide access to the visitor parking area and will feature urban design and landscape treatments to connect to the future park located at the south-west corner of the site.

Vehicle access/egress locations are proposed from Tawadina St. (Development Parcel 5), Barielle Snow St. (Development Blocks 1 and 3) and Michael Stoqua St. Accessible at-grade parking spaces are proposed at the rear of each of the buildings. The development strives to maintain the sustainability and greenspace goals of the Wateridge Community Plan through high design amenity space and pedestrian connections which focus on integration with the proposed park located at the south-west portion of Development Area 2.

The development proposes to have a total of 455 units within the three buildings. Building 1 is proposed to have 216 residential units with 494 sq. m of commercial space at grade fronting onto Hemlock Road. Building 2 is proposed to accommodate 131 residential units with 325 sq. m of commercial space fronting onto Hemlock Rd. Building 3 will have 108 residential units fronting onto the future City Park and Codd's Road.

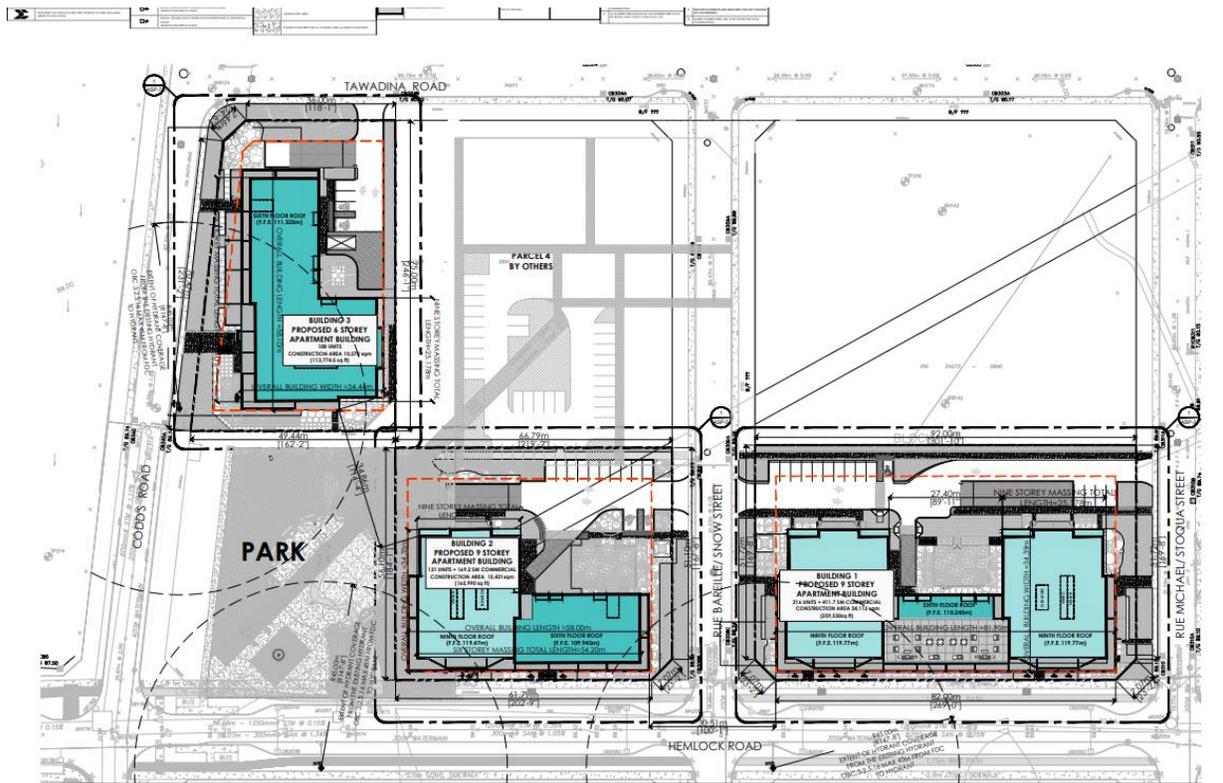


Figure 2 -Site Plan

Building 1 (1375 Hemlock Road)

Building 1, located along Hemlock Road (1365 Hemlock Road(and bounded by Michael Stoqua St. to the east and Barielle Snow to the west, is 5193.6 sq. m in size. The mixed-use building will be comprised of 461 sq.m of commercial use on the ground floor along with other internal

active amenities along Hemlock Road and 216 residential units. The proposed development consists of residential units above the ground floor in one main building up to the sixth floor and two smaller towers at the east and west end of the massing for storeys seven, eight and nine. The tower portions of the buildings are limited to 750 sq. m floor plates as per the GM31 zoning provisions.

312 parking spaces will be provided to accommodate both residents and visitors as well as the commercial space. The majority of the parking spaces will be provided in a two level below grade parking structure with 15 at grade spaces provided at the rear of the building. Additional on-street parking is provided/permitted along Hemlock Road.

The building supports and will contribute to an active frontage along Hemlock, with glazing and articulation of the building façade. The upper floors will be stepped back to alleviate building massing impacts. The building features separate residential entrances along Hemlock Road which will be architecturally integrated into the building design and allow the street frontage to be continuous and be occupied by both commercial and building amenity uses. Additional/main entrances to the building will be located at the rear (north) to provide ease of access from visitor and resident parking located away from Hemlock as to not disrupt traffic, transit, and pedestrian activity. The mixed-use portion of the building is oriented to Hemlock Road and designed to share surface driveway and parking located at the northerly portion of the property. This driveway will provide access to a small compliment of surface parking as well as the underground parking structure.

The proposed orientation and design of the building and overall site is consistent with the intent of the Mid-Rise Mixed Use designation, ensuring that there is an active street edge. Operational service areas, including loading and garbage enclosure facilities are provided and locate within the proposed building and bicycle parking is provided in proximity to building entrance locations. Architectural site plans prepared by Mataj Architects and submitted with the application included detail design data that confirms compliance with all applicable site design criteria and zoning by-law standards except for the required 2.0 setback at the fifth storey. Vehicular access to the building is provided at the most northerly portion of the property to ensure a maximum separation distance is achieved from the intersection of Hemlock Road and Michael Stoqua and Barielle Snow Roads. Surface parking spaces are located at the north side of the property at the rear of the building to ensure they are screened from the active pedestrian and active transportation realm. The site is serviced by existing municipal water, sanitary and stormwater infrastructure along Barielle Snow Street with adequate supply/capacity.

Building 2 (1345 Hemlock Road)

Building 2 is located along Hemlock Road and bounded by Barielle Snow Road to the east and a future park to the west and the future Mattamy development to the north, is 3737 sq. m in size. The mixed-use building will be comprised of 210.3 sq.m of commercial use on the ground floor along with other internal active amenities along Hemlock Road and 131 residential units. The proposed building consists of residential units above the ground floor in one main building up to the sixth floor and one smaller tower at the west end of the massing for storeys seven, eight and nine. The tower portion of the building is limited to a 750 sq. m floor plate as per the GM31 zoning provisions.

200 parking spaces will be provided to accommodate both residents and visitors as well as the commercial space. Most of the parking spaces will be provided in a two level below grade parking structure with 10 at grade spaces provided at the rear of the building. Additional on-street parking is provided/permitted along Hemlock Road. 68 bicycle parking spaces/racks have been provided for Building 2.

The building supports and will contribute to an active frontage along Hemlock, with glazing and articulation of the building façade. The upper floors will be stepped back to alleviate building massing impacts. The building features a separate residential entrance along Hemlock Road which will be architecturally integrated into the building design and allow the street frontage to be continuous and be occupied by both commercial and building amenity uses. Additional/main entrances to the building will be located at the rear (north) to provide ease of access from visitor and resident parking located away from Hemlock as to not disrupt traffic, transit, and pedestrian activity. The mixed-use portion of the building is oriented to Hemlock Road and designed to share surface driveway and parking located at the northerly portion of the property. This driveway will provide access to a small compliment of surface parking as well as the underground parking structure.

The proposed orientation and design of the building and overall site is consistent with the intent of the Mid-Rise Mixed-Use designation, ensuring that there is an active street edge. Furthermore, building amenity spaces have been oriented towards the abutting park to provide a more active experience as it relates to the public space. Operational service areas, including loading and garbage enclosure facilities are provided and locate within the proposed building and bicycle parking is provided in proximity to building entrance locations. Architectural site plans prepared by Mataj Architects and submitted with the application included detail design data that confirms compliance with all applicable site design criteria and zoning by-law standards except for the requirement of a 2.0 m setback at the fifth storey. Vehicular access to the building is provided at the most north-easterly portion of the property to ensure a maximum separation distance is achieved from the intersection of Hemlock Road and Barielle Snow Street. Surface parking spaces are located at the north side of the property at the rear of

the building to ensure they are screened from the active pedestrian and active transportation realm. The site is serviced by existing municipal water, sanitary and stormwater infrastructure along Barielle Snow Street with adequate supply/capacity.

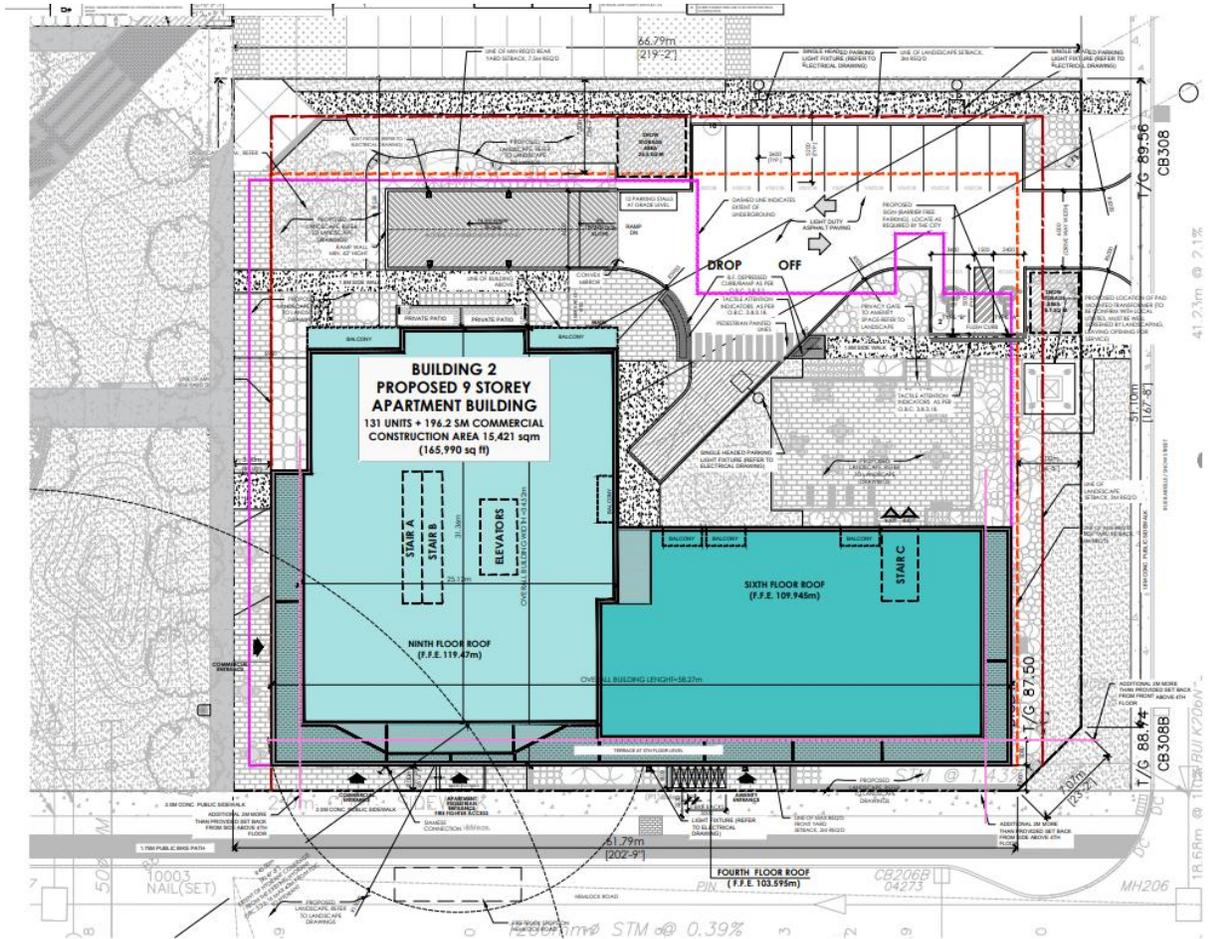


Figure 5 – Building 2 (1345 Hemlock Road) Site Plan



Figure 6 – Building 2 (1345 Hemlock Road) – Rendering

Building 3 (375 Codd’s Road)

Building 3 is located at the southeast corner of Codd’s Road and Tawadina Road. The property parcel is 3737 sq. m in size. The residential building will be comprised of 109 residential units with at grade amenity space located along Codd’s Road adjacent to the future park. The proposed building consists of residential units in one main building six storeys in height.

67 parking spaces will be provided to accommodate both residents and visitors as well as the commercial space. Most of the parking spaces will be provided in a single level below grade parking structure with 4 at grade spaces provided at the rear of the building. Additional on-street parking is provided/permitted along Codd’s Road and Tawadina Road. 58 bicycle parking spaces/racks have been provided for Building 3.

The building supports and will contribute to an active frontage along Codd’s Road, with glazing and articulation of the building façade. The upper floors will be stepped back to alleviate building massing impacts. The building features a separate residential entrance along Tawadina Road which will be architecturally integrated into the building design and allow the street frontage to be continuous. Additional/main entrances to the building will be located at the rear

(east) to provide ease of access from visitor and resident parking located away from Tawadina Road as to not disrupt traffic, transit, and pedestrian activity. This driveway will provide access to a small compliment of surface parking as well as the underground parking structure.

The proposed orientation and design of the building and overall site is consistent with the intent of the Mid-Rise Mixed Use designation, ensuring that there is an active street edge. Furthermore, building amenity space have been oriented towards the abutting park to provide a more active experience as it relates to the public space. Operational service areas, including loading and garbage enclosure facilities are provided and locate within the proposed building and bicycle parking is provided in proximity to building entrance locations. Architectural site plans prepared by Mataj Architects and submitted with the application included detail design data that confirms compliance with all applicable site design criteria and zoning by-law standards except the requirement for a 2.0 m setback at the fifth floor. Vehicular access to the building is provided at the most north-easterly portion of the property to ensure a maximum separation distance is achieved from the intersection of Codd’s Road and Tawadina Road. Surface parking spaces are located at the northeast portion of the property at the rear of the building to ensure they are screened from the active pedestrian and active transportation realm. The site is serviced by existing municipal water, sanitary and stormwater infrastructure along Codd’s Road with adequate supply/capacity.

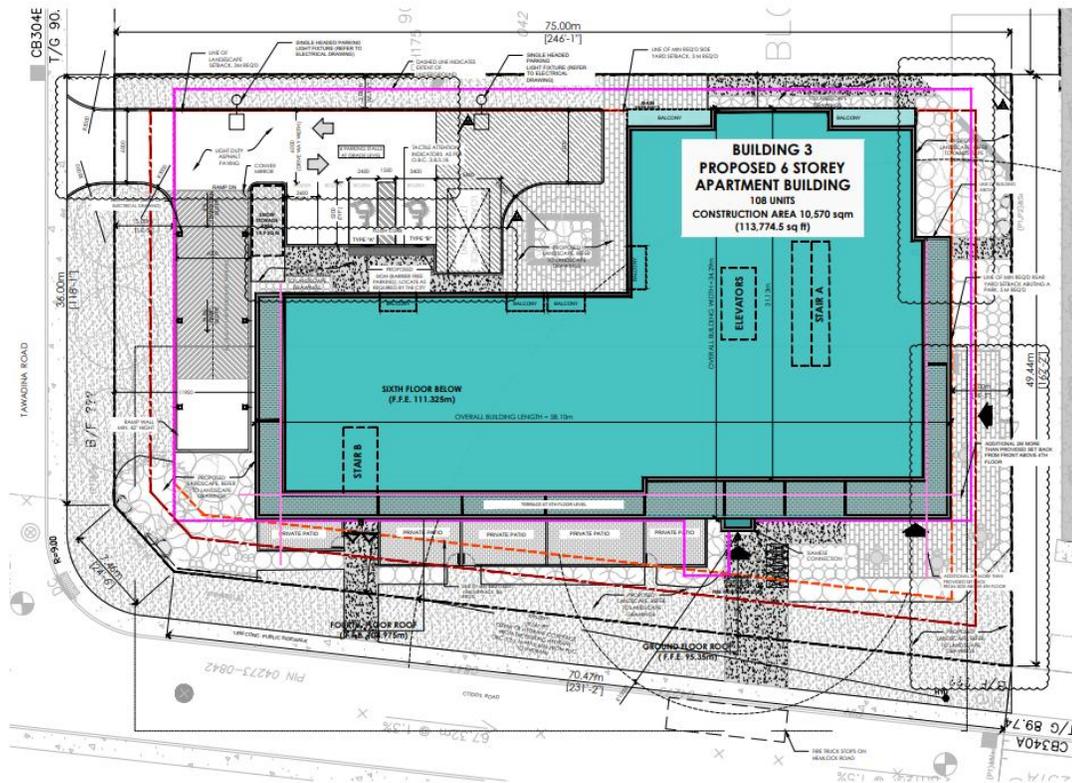


Figure 7 – Building 3 (375 Codd’s Road) Site Plan



Figure 8 – Building 3 (375 Codd’s Road) Rendering

PROPOSED MINOR VARIANCES

Bayview is seeking the Committee’s approval of the minor variances as they affect the proposed Site Plans as submitted. Approval of these variances will ensure tha the building envelope of the Buildings have been permitted by te Committee in advance of Site Plan Control Approval.

To permit the prosed development, the following variances are requested as part of these applications:

1. To permit the 2 m building setback at the fourth storey be relocated to the fifth storey under the provisions of Section 188 GM31(31)c for Building 1 located at 1375 Hemlock Road.
2. To permit the 2 m building setback at the fourth storey to be relocated to the fifth storey under the provisions of Section 188 GM(31)c for Building 2 located at 1345 Hemlock Road.

3. To permit the 2 m building setback at the fourth storey to be relocated to the fifth storey under the provisions of Section 188 GM(31) c for Building 3 located at 375 Codd's Road.

RATIONALE FOR MINOR VARIANCES

Section 45 of the Planning Act outlines the powers of the Committee of Adjustment to permit minor variances from a Zoning By-law as described in Section 34 of the Act. The Act lays out four tests which must be met for the Committee to grant a variance: these are that the variance must:

- Meet the general intent and purpose of the Official Plan
- Meet the general intent and purpose of the Zoning By-law
- Be desirable for the appropriate development or use of the land
- Be minor in nature

Official Plan

The property is designated Neighbourhood with an Evolving Neighbourhood Overlay along Codd's Road and Hemlock Road. Neighbourhoods are contiguous urban areas that constitute the heart of communities. It is the intent of the Official Plan that they, along with hubs and corridors, permit a mix of building forms and densities. Neighbourhoods are not all at the same stage of development, maturity and evolution. It is the intent of this Plan to reinforce those that have all elements of and presently function as 15-minute neighbourhoods; to guide those that have a few missing elements into gaining them; and to seed the conditions for future 15-minute neighbourhoods into those that currently are not. Neighbourhoods are planned for ongoing gradual, integrated, sustainable and context-sensitive development, or where an Overlay directs evolution, for gradual well-planned transformation.

Section 6.3.1 (2) provides policy direction that permits building heights in Neighbourhoods to be more than 4 storeys in height where existing zoning or secondary plans allow for greater building heights or already characterized by taller buildings.

For the purposes of these Minor Variance applications the proposed building heights are supported by both the Former CFB Rockcliffe Secondary Plan and the accompanying zoning designation on the site which permits building heights of 30 m.

Former CFB Rockcliffe Secondary Plan

The Former CFB Rockcliffe Secondary Plan forms part of the new Official Plan. The property is designated "Mid-Rise, Mixed Use" on Schedule A of the secondary plan. The site plan conforms to the policies of the Secondary Plan by providing a development comprised of mid-

rise, mixed-use buildings, active, street-level pedestrian-friendly uses and providing for maximum density requirement.

The proposed three buildings on the development site are considered a mid-rise building as per the Secondary Plan. Schedule B – Building Heights of the secondary plan permits buildings up to 30 m in height on the blocks. The proposed development complies with the secondary plan height provisions.

Former CFB Rockcliffe Community Design Plan

The Former CFB Rockcliffe Community Design Plan is a guiding vision document and tool to implement the principles and policies of the Official Plan. The subject lands are within the Core Neighbourhood which is to be the heart of the community and is intended to be a place where neighborhood residents can gather and socialize. It is to be compact, pedestrian oriented area with a variety of residential and employment uses.

The CDP states in Section 7.6 that “some flexibility in interpretation is permitted by those carrying out the development of the site, provided the general intent of the policies and principles of this plan are maintained”. Therefore, it is our opinion that the proposed development meets the intent and purpose of the Former CFB Rockcliffe Secondary Plan.

The proposed variances maintain the intent and purpose of the policies by ensuring development is oriented and that buildings properly frame intersection corners and will frame the public realm while maintaining a human-scale built form. This direction is further prescribed in Architectural Design and Built Form Section 6.5.2 for Mid-Rise Mixed Use buildings:

Buildings should create a fine-grained streetscape, with individual units and entrances expressed within modulated, articulated building facades. Numerous doors and windows should be provided along the primary façade to increase access and transparency.

No building should have any length greater than 40 metres without some form of articulation that achieves a break in visual appearance.

Large windows and upper storey balconies are encouraged in units facing parks to promote casual surveillance.

Corners should be emphasized with elements such as bay windows, turrets or wrap around porches, distinct architectural elements, special materials and where appropriate, setbacks for plaza spaces.

Two to three exterior materials per building should be used to introduce texture and visual diversity to building surfaces.

Mixed-use development must include active frontages with street related, publicly accessible shops, services and amenities adjacent to areas of high pedestrian circulation.

The proposed development incorporates these policies and elements into the design. The plan has been reviewed by staff to ensure that the concept achieves the objectives of the CDP and the proposed buildings will contribute to the Wateridge community. Therefore, the proposed development, with the proposed variances, maintains the intent and purpose of the CDP.

ZONING BY-LAW 2008-250

The second test is that the requested variances maintain the intent and purpose of the Zoning By-law. The property is zoned General Mixed-Use- GM31 H(30) by Zoning By-law 2008-250. The purpose of the General Mixed-Use zone is to:

1. Allow residential, commercial and institutional uses, or mixed use development in the General Urban Area and the Upper Town, Lowertown and Sandy Hill West Character Areas of the Central Area designation of the Official Plan;
2. Limit commercial uses to individual occupancies or in groupings in well-defined areas such that they do not affect the development of the designated Traditional or Arterial Mainstreets in viable mixed-use areas;
3. Impose development standards that will ensure that the uses are compatible and complement surrounding land uses. The proposal is a mixed-use commercial and residential development within the General Urban Area designation. Ground floor commercial spaces have been located along all public streets in proximity to a future "town square" parkette and other properties permitted for commercial and mixed-use development.

The proposed development is for a mixed-use commercial and neighborhood development within Official Plan policies of the Official Plan. Ground floor commercial space have been located along Hemlock Road in proximity to a future "town square" parkette and other properties permitted for commercial and mixed-use development.

Where the building contains more than four storeys but less than 13 storeys, at and above the fourth storey a building must be setback a minimum of an additional 2 metres more than the provided setback from the front and corner side lot lines. The intent of this provision is to ensure the facades of mid-rise buildings are proportional to the width of the adjacent public realm. In most cases the public realm is the abutting street. Building height to street width ratios between 1:1 and 1:3 are considered optimal for creating an appropriate sense of enclosure that is comfortable for pedestrians and other public realm users. This ratio is supported by a number of approved City planning documents including urban design guidelines (such as the Road Corridor Planning Guidelines and Urban Design Guidelines for Development along Traditional Mainstreets). Street rights-of-way abutting the property are between 20m and 26m in width; adjusting the location of the 2.0 m step-back from the fourth to fifth floor would result in a façade height of approximately 13m. This results in a height-to-width ratio of approximately 1:2, still

within an appropriate range to create a comfortable public realm. Therefore, it is our opinion that the proposed variances meet the intent and purpose of the Zoning By-law.

DESIREABLE FOR ORDERLY DEVELOPMENT

The third test of a Minor Variance under the Planning Act is that requested variances are desirable for the orderly development and use of the land.

The proposed increases in the height of the 2.0 m façade step-back adjacent to a public street will maintain a comfortable building height-to-street ratio along all adjacent streets. The increase in step-back height will also reduce the massing of the buildings' upper floors and better balance the base and upper sections of the buildings. A setback above the 4th storey is demonstrated in City approved design guideline documents such as the Design Guidelines for Traditional Mainstreets, in Figure 9.

■ Guideline 10:

Design street sections with a ratio of building height to road corridor width of between 1:1 and 1:3. A ratio of 1:1 is appropriate for urban core areas, while a ratio of 1:2 to 1:3 is ideal for other traditional mainstreets (Figures 7 and 8).

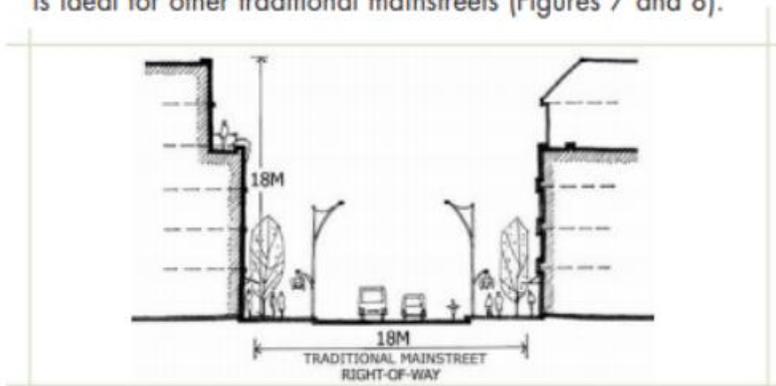


Figure 7: A ratio of 1:1 (in this example 18m represents 1) for building height to right-of-way width produces a comfortable sense of enclosure.

Figure 9 - Design Guidelines for Traditional Mainstreets Figure 7 illustrating step-back's above the 4th floor. (City of Ottawa)

From an urban design perspective, given the six and nine storey heights in the proposal and adjacency to 20m-26m rights-of-way, a step-back occur above the fourth level is more desirable than that required by the Zoning By-law at the fourth floor. The variances will allow more units to front the face of the building and proportion the relationship between building base and top more appropriately. The proposed massing of the building will have an indistinguishable impact from a shadowing or wind on the adjacent public realm in comparison to the massing permitted as-of-right under the zoning provisions.

Finally, the proposed Minor Variances, if approved, would create a synchronized architecture along Hemlock Road similar in style for the new 6 storey building located on the south side of Hemlock (681 Mikinak Street). This development was granted a similar minor variance with a building step back at the 5th floor.

MINOR IN NATURE

The fourth test is that the requested variances are minor in nature.

The Planning Act does not provide a definition of what is considered 'minor', leaving the interpretation of scale on a case-by-case basis. The measure is best made when considering the impact result of allowing variances to be supported. As a result, any changes to step-backs will have no impact on future surrounding land uses. The variances do not result in increased building height and will have no impacts of shadowing on the adjacent public realm in comparison to the zoning provisions permitted as-of-right by the GM31 H(30) zone. If granted, the Minor Variances would promote a consistent architectural theme in the core area of the Wateridge Community. The proposed buildings will promote a complimentary streetscape in terms of built form that was created with the granting of a similar Minor Variance (D08-02-19/A-00280) at 681 Mikinak Road. The 2.0 m setback at the fifth storey will continue to provide a lively, active, accessible, and engaging development to live, work and play. Therefore, it is our opinion that the proposed variances are minor in nature.

CONCLUSION

The proposed variances to allow the proposed buildings on the subject lands to proceed with the 2.0m setback at the fifth storey constitutes good planning and will be a positive addition to the Wateridge Village community.

If you have any questions or comments regarding this submission, please feel free to contact me directly at (613) 323-2146 or by email at rortar9@gmail.com. We thank you for your consideration.

Sincerely,

Rod Price,
Rortar Land Development Consultants.