

Subject: Zoning By-law Amendment – 1081 Carling Avenue

File Number: ACS2023-PRE-PS-0118

Report to Planning and Housing Committee on 20 September 2023

and Council on 27 September 2023

**Submitted on September 8, 2023 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

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Ward: Kitchissippi (15)

Objet: Modification du Règlement de zonage – 1081, avenue Carling

Dossier : ACS2023-PRE-PS-0118

Rapport au Comité de la planification et du logement

le 20 septembre 2023

et au Conseil le 27 septembre 2023

**Soumis le 8 septembre 2023 par Derrick Moodie, Directeur, Services de la
planification, Direction générale de la planification, des biens immobiliers et du
développement économique**

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REPORT RECOMMENDATIONS

- 1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1081 Carling Avenue, as shown in Document 1, to permit two high-rise residential apartment buildings, as detailed in Document 2.**
- 2. That Planning and Housing 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 27, 2023,” 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 la planification et du logement recommande au Conseil municipal d’apporter une modification au *Règlement de zonage* (n° 2008-250) pour le 1081, avenue Carling, comme l’indique la pièce 1, afin d’autoriser l’aménagement de deux tours d’appartements de grande hauteur, selon les modalités précisées dans la pièce 2.**
- 2. Que le Comité de la planification et du logement approuve l’intégration de la section Détails de la consultation du rapport dans le cadre de 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 que tiendra le Conseil municipal le 27 septembre 2023 », 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 approval of the Zoning By-law Amendment for 1081 Carling Avenue to permit the development of two residential towers and a public park.

The applicant is requesting the following:

- to permit high-rise development;
- establish required building setbacks, stepbacks and maximum heights through a site-specific zoning schedule;
- reduce the minimum required drive aisle width to 6.0 metres;

- permit at least 50 per cent of the frontage along the front lot line that must be occupied by building walls to be located within 7.5 metres of the frontage along Carling Avenue;
- permit amenity area within the mechanical penthouse level; and
- establish a holding symbol (-h) to address the location of the existing traffic barrier on Hamilton Avenue South.

The proposal aligns with applicable Official Plan policies for this area. The subject site is designated as “Mainstreet Corridor”, subject to the Evolving Neighbourhoods Overlay, on Schedule B2 – Inner Urban Transect, of the Official Plan.

Applicable Policy

The following policies support this application:

- High density development is permitted in the Inner Urban Transect subject to proximity to transit, limits on building heights and massing, tower separation, and resolution of any constraints in water, sewer, and stormwater capacity, as set out in Policy 3 of Section 5.2.1. The proposal is located within 600 metres of a future Light Rail Transit station, limits on building heights are established through a site-specific zoning schedule, tower separation conforms to the provisions for high-rise buildings identified in Section 77 of the Zoning By-law, and adequacy of services has been confirmed.
- High-rise buildings are permitted along Mainstreet Corridors located in the Inner Urban Transect as set out in Policy 2 of Section 5.2.3 of the Official Plan, which provide specific direction on permitted building heights. Building heights up to high-rise (40 storeys) are permitted on sites abutting segments of streets whose right-of-way is 30 metres or greater, subject to appropriate height transitions and setbacks. The proposal’s building setbacks, stepbacks, and height transitions relate well to neighbouring properties and the Carling Avenue right-of-way is greater than 30 metres.
- Policies 8 and 9 of Section 4.6.6 of the Official Plan provides specific direction on how to enable the sensitive integration of new high-rise buildings to ensure Ottawa meets its intensification targets while considering liveability for all. The proposal’s buildings are designed to provide appropriate transition to the low-rise neighbourhood to the north, and are composed of an appropriately scaled base, middle and top.

- Policy 7(c) of Section 7.1 of the Official Plan provides direction regarding the Central Experimental Farm within the Greenspace Designation, indicating that as an open space it is not intended for natural heritage protection of environmental features or for recreation, but is reserved for scientific, educational and cultural purposes as part of the capital greenspace network. A Cultural Heritage Impact Statement submitted in support of the application concluded that there are no significant impacts on the identified cultural heritage values associated with the Central Experimental Farm.

Other Matters

The property is directly adjacent to the Central Experimental Farm (CEF), a National Historic Site, and in close proximity to four properties on the City's Heritage Register (426-428 Hamilton, 748 Parkdale, 6 Inglewood), which was taken into consideration for staff review and recommendations.

Comments have been received from Agriculture and Agri-Food Canada that identify significant concerns with the shadowing impacts on the CEF resulting from the proposed development.

Public Consultation/Input

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

A virtual community information session was held on October 12, 2021. The applicant, Councillor, and staff were present. Approximately 160 members of the public attended.

Approximately 100 comments were submitted during the development review process. Comments mainly noted concerns with built form, density, height, transition to the abutting low-rise neighbourhood, traffic, parking, the existing traffic barrier on Hamilton Avenue South and environmental impacts (i.e., shadowing, wind, noise, loss of trees).

A statutory public meeting was held at the Planning and Housing Committee held on August 16, 2023. A total of 14 public delegations presented to members of Committee, which were mainly concerned with the impact of the proposed development on the existing community abutting the site and shadowing impacts to the Central Experimental Farm.

For this proposal's consultation details, see Document 5 of this report.

RÉSUMÉ

Recommandation du personnel

Le personnel des Services de planification recommande d'approuver la modification du *Règlement de zonage* pour le 1081, avenue Carling, afin d'autoriser l'aménagement de deux tours résidentielles et d'un parc public.

Le requérant demande :

- d'autoriser l'aménagement de tours de grande hauteur;
- d'établir les marges de retrait et de reculement et les hauteurs maximums obligatoires des bâtiments dans une annexe propre au site dans le *Règlement de zonage*;
- de réduire la largeur minimum obligatoire de l'entrée de cour à 6,0 mètres;
- d'autoriser qu'au moins 50 per cent de la longueur de la façade lisérant la ligne de lot avant soient occupés par les murs des bâtiments situés à moins de 7,5 mètres de la façade donnant sur l'avenue Carling;
- d'autoriser une aire d'agrément au niveau de la salle de mécanique;
- d'établir un symbole d'aménagement différé (-h) pour faire état de la localisation de la glissière de sécurité existante sur l'avenue Hamilton Sud.

La proposition cadre avec les politiques applicables du Plan officiel pour ce secteur. Le site visé porte la désignation de « couloir de rues principales » et fait l'objet de la surzone des quartiers évolutifs de l'annexe B2 (Transect du secteur urbain intérieur) du Plan officiel.

Politiques applicables

Les politiques suivantes justifient cette demande :

- Les projets d'aménagement de grande densité sont autorisés dans le transect du secteur urbain intérieur à la condition qu'ils soient réalisés non loin des transports en commun, de respecter les limites imposées pour la hauteur et la volumétrie des bâtiments et la distance de séparation des tours et d'éliminer les contraintes dans la capacité de l'aqueduc, des égouts et des conduites d'eaux pluviales, conformément aux modalités de la politique 3) de la sous-section 5.2.1. Le projet d'aménagement proposé se trouve à moins de 600 mètres d'une station projetée de transport en commun par train léger, les limites fixées pour la hauteur des bâtiments sont établies dans une annexe propre au site dans le *Règlement de zonage*, la distance de séparation

des tours respecte les dispositions prévues pour les bâtiments de grande hauteur dans l'article 77 du *Règlement de zonage*, et l'adéquation des services a été confirmée.

- Les bâtiments de grande hauteur sont autorisés dans les couloirs de rues principales situés dans le transect du secteur urbain intérieur conformément aux modalités de la politique 2) de la sous-section 5.2.3 du Plan officiel, qui prévoit des directives précises sur la hauteur autorisée des bâtiments. La Ville autorise les bâtiments de grande hauteur, à concurrence de 40 étages sur les sites jouxtant les tronçons de rues dont l'emprise est d'au moins 30 mètres, sous réserve des transitions de hauteurs et des marges de retrait voulues. Les marges de retrait et de reculement des bâtiments et les transitions de hauteurs de la proposition cadrent bien avec les propriétés voisines, et l'emprise de l'avenue Carling est supérieure à 30 mètres.
- Les politiques 8) et 9) de la sous-section 4.6.6 du Plan officiel prévoient des directives précises sur les moyens d'assurer l'intégration adaptée des nouveaux bâtiments de grande hauteur pour s'assurer qu'Ottawa atteint ses cibles de densification en tenant compte de l'habitabilité pour toutes et pour tous. Les bâtiments de la proposition sont destinés à assurer la transition voulue avec le quartier de faible hauteur au nord et sont constitués d'un socle, d'un milieu et d'un sommet dont l'échelle est appropriée.
- L'alinéa c) de la politique 7) de la sous-section 7.1 du Plan officiel comprend des directives sur la Ferme expérimentale centrale dans la désignation des espaces verts, en précisant que les espaces verts ne sont pas destinés à protéger le patrimoine naturel des infrastructures environnementales ou n'ont pas vocation de zone de loisirs, mais qu'ils sont plutôt réservés aux activités scientifiques, éducatives et culturelles dans le cadre du réseau des espaces verts de la capitale. Une étude d'impact sur le patrimoine culturel, déposée pour étayer la demande, a permis de conclure qu'il n'y a pas d'incidences considérables sur les valeurs définies pour le patrimoine culturel et relatives à la Ferme expérimentale centrale.

Autres questions

La propriété jouxte directement la Ferme expérimentale centrale (FEC), lieu historique national, et se trouve non loin de quatre propriétés inscrites au Registre du patrimoine de la Ville (soit les 426-428, avenue Hamilton, le 748, avenue Parkdale et le 6, place Inglewood), ce dont il a été tenu compte dans l'examen et les recommandations du personnel.

Agriculture et Agroalimentaire Canada nous a adressé des commentaires qui font état de motifs d'inquiétude considérables en raison des incidences de l'ombrage produit sur la Ferme expérimentale centrale par le projet d'aménagement proposé.

Consultation et avis du public

L'avis public a été diffusé et la consultation publique s'est déroulée conformément à la Politique sur les avis publics et la consultation, approuvée par le Conseil pour les demandes d'aménagement.

Une séance communautaire d'information s'est déroulée en virtuel le 12 octobre 2021. Le requérant, le conseiller municipal et le personnel étaient présents à cette séance. Environ 160 membres du public y ont participé.

Pendant le processus d'examen de la demande d'aménagement, on a déposé une centaine de commentaires. Ces commentaires ont essentiellement porté sur les inquiétudes relatives à la forme bâtie, à la densité, à la hauteur, à la transition avec le quartier de faible hauteur voisin, à l'achalandage automobile, au stationnement, à la glissière de sécurité existante sur l'avenue Hamilton Sud et aux répercussions environnementales (soit l'ombre, le vent, le bruit et l'abattage des arbres).

Le Comité de la planification et du logement a tenu, le 16 août 2023, une assemblée publique officielle. Au total, 14 délégations publiques ont présenté des exposés aux membres du Comité, en s'inquiétant surtout de l'impact du projet d'aménagement proposé sur la collectivité existante jouxtant le site et des incidences de l'ombrage sur la Ferme expérimentale centrale.

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

1081 Carling Avenue

Owner

1081 Carling Avenue 2019 Co-Tenancy (c/o Taggart Realty Management)

Applicant

Paul Black, Fotenn Planning + Design

Architect

Barry J. Hobin, Hobin Architecture

Description of site and surroundings

The subject property is located along the north side of Carling Avenue, between Hamilton Avenue South and Parkdale Avenue, within the Civic Hospital neighbourhood. The site is an irregular-shaped parcel with an area of 4,293 square metres and frontage on three streets – 64 metres along Carling Avenue, 70 metres along Parkdale Avenue, and 65 metres along Hamilton Avenue South. The surrounding area contains a variety of land uses, including residential, institutional, open space, and commercial. To the north of the site is a five-metre, city-owned public laneway and a mature neighbourhood characterized by low-rise residential buildings. To the east is the Ottawa Hospital Civic Campus, including a 15-storey residential building that abuts Parkdale Avenue. To the south is the Central Experimental Farm. To the west is a six-storey retirement residence and low-rise residential dwellings.

Summary of proposed development

The proposed development includes the construction of two residential towers containing a total of 410 dwelling units and 33,401 square metres of gross floor area (GFA). The existing building and parking structure is to be demolished. The proposed development also includes the dedication of a 429.3 square metre parkette (10 per cent of total site area) in the northern portion of the site, directly north of the East Tower and abutting Parkdale Avenue.

The “West Tower” is located on the western portion of the site and abuts Hamilton Avenue South. It contains a total of 12,414 square metres of GFA and 146 units, including 14 studio, 69 one-bedroom units, 18 one-bedroom plus den units, 39 two-bedroom units, and six two-bedroom plus den units. The proposed tower is 16 storeys, with a four-storey podium and stepbacks at the fifth and thirteenth storeys where the building abuts the low-rise residential to the north.

The “East Tower” is located on the eastern portion of the site and abuts Parkdale Avenue. It contains a total of 20,987 square metres of GFA and 264 units, including 44 studio, 113 one-bedroom units, five one-bedroom plus den units, 76 two-bedroom units, and 26 two-bedroom plus den units. The proposed tower is 27 storeys, with a four-storey podium and stepbacks at fifth and tenth storeys, where the building abuts the low-rise residential to the north. The East Tower also has a notch in the tower portion of the building (storeys 10-27) to maintain a minimum 20-metre setback from the

abutting property at 425 Hamilton Avenue South, which is occupied by a two-storey dwelling.

The proposed parkland dedication is located to the north of the East Tower which further contributes to the transition from the adjacent low-rise neighbourhood. Resultant setbacks from the south side of the public lane to the north are 16.8 metres from the building and 27 metres from the high-rise portions of the building.

A total of 322 vehicular parking spaces are proposed as part of the development – 282 residential spaces and 40 visitor spaces – all of which are located in a below-grade parking garage that is accessed from Hamilton Avenue South via Carling Avenue. The parking garage access is located along Hamilton Avenue South, between Carling Avenue and the existing traffic barrier. A total of 382 bicycle parking spaces are also proposed as part of the development, including 68 spaces at grade and 314 spaces below-grade. An additional vehicular access is also provided north of the existing traffic barrier on Hamilton Avenue South, which provides access to a waste collection and move-in lane.

Summary of requested Zoning By-law amendment

The subject site is currently split-zoned – the southern half of the site is zoned AM10[2196] (Arterial Mainstreet, Subzone 10, Urban Exception 2196) and the northern half of the site is zoned AM2 H11 (Arterial Mainstreet, Subzone 2, with a maximum height of 11 metres). The amendment is requested to permit the development of a public park and two residential towers, which are 16- and 27-storeys, and have a total of 410 units.

The proposed zoning by-law amendment seeks to:

1. Rezone the subject site to “AM10[XXXX] S(YYY)-h” (Arterial Mainstreet, Subzone 10, Urban Exception XXXX, Schedule YYY, Holding Symbol) and O1 (Parks and Open Space Zone).
2. Urban Exception XXXX includes provisions addressing the following:
 - a. Add “Apartment Dwelling, High Rise” to the list of permitted uses.
 - b. Building setbacks, setbacks and maximum heights per Schedule ‘YYY’.
 - c. Permit a minimum drive aisle width of 6 metres, whereas the Zoning By-law requires 6.7 metres.
 - d. Permitted projections listed in Section 64 and 65 of the Zoning By-law are not subject to the height limits identified on Schedule YYY.

- e. Despite Section 64, an indoor amenity area with associated washroom facilities are permitted within the mechanical penthouse level of each tower to a maximum gross floor area of 200 square metres and limited to a maximum of one-storey.
 - f. Apply a holding symbol (-h) to the site to restrict development until such a time that the location of the of traffic barrier on Hamilton Avenue South is confirmed through a site plan control approval, via plans and/or conditions.
3. Schedule YYY identifies permitted building heights and setbacks for the proposed development – see Document 3.
- a. West Tower
 - i. Establish a maximum building height of 16-storeys, including a four-storey podium and setbacks at the fifth and thirteenth storeys where the building abuts the low-rise residential to the north.
 - ii. Establish a minimum front yard setback of 3.0 metres, whereas the Zoning By-law requires that 50 percent of the frontage along the front lot line must be occupied by building walls located within 4.5 metres for a residential building.
 - iii. Establish a 20-metre setback from the tower portion of the building to 425 Hamilton Avenue South (the nearest residentially zoned lot).
 - b. East Tower
 - i. Establish a maximum building height of 27-storeys, including a four-storey podium and setbacks at the fifth and tenth storeys, where the building abuts the low-rise residential to the north.
 - ii. Permit a minimum rear yard setback of 3.0 metres, whereas the Zoning By-law requires 7.5 metres.
 - iii. Establish a 20-metre setback from the tower portion of the building to 425 Hamilton Avenue South (the nearest residentially zoned lot).

DISCUSSION

Public consultation

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

A virtual community information session was held on October 12, 2021. The applicant, Councillor, and staff were present. Approximately 160 members of the public attended.

Approximately 100 comments were submitted during the development review process. The majority of comments were submitted in opposition of the proposed development. The community requested further consideration be given to the built form, density, height, transition to the abutting low-rise neighbourhood, traffic, parking, the existing traffic barrier on Hamilton Avenue South and environmental impacts (i.e., shadowing, wind, noise, loss of trees).

Changes made since the original submission to address public concerns include reduction of building heights of the west and east towers from 22 and 28 storeys, respectively, to 16 and 27 storeys, respectively; reduction of podium heights from six to four storeys; adjusted rear yard setbacks to the north; adjusted the building massing by moving the east tower closer to Carling Avenue; additional stepbacks added to both towers; tower separation increased from 20 metres to 21 metres; increased bicycle parking; reconfigured the garbage/move-in lane; and, northwest corner of the tower portion of the east tower building has been revised to provide a full 20 metres of separation to the shared property line with 425 Hamilton Avenue South.

A statutory public meeting was held at the Planning and Housing Committee (PHC) held on August 16, 2023. A total of 14 public delegations presented to members of Committee, which were mainly concerned with the impact of the proposed development on the existing community abutting the site and shadowing impacts to the Central Experimental Farm (CEF). In response to concerns expressed at the meeting regarding the accuracy of the findings of the Cultural Heritage Impact Statement (CHIS) as it relates to the shadowing impacts on the cultural heritage value of the CEF, the applicant has revised the CHIS to explore the concerns further. The revised CHIS was made available to the public in advance of the PHC meeting in which this report is being considered.

A motion was passed at the August 23 City Council meeting to have this item return to the September 20 Planning and Housing Committee (PHC) meeting due to improper notification provided for the August 16 PHC meeting.

For this proposal's consultation details, see Document 5 of this report.

Official Plan designation(s)

The subject site is designated as "Mainstreet Corridor", subject to the Evolving Neighbourhoods Overlay, on Schedule B2 – Inner Urban Transect, of the Official Plan.

Section 2.2.1 Intensification and Diversifying Housing Options

This section provides direction on how growth will take place in Ottawa. Policies within this section direct residential growth within the built-up urban area to support the evolution towards 15-minute neighbourhoods, provide housing options for larger households, and improve public amenities and services.

Section 3 – Growth Management Framework

This section provides direction on how growth will take place in Ottawa. Policies within this section support intensification in areas with existing municipal infrastructure, rapid transit, neighbourhood facilities and a diversity of commercial services.

Section 4.2 – Housing

This section contains policies that support the creation of a diverse range of flexible and context-sensitive housing options in all areas of the city.

Section 4.6 – Urban Design

This section contains policies that provide direction on how to enable the sensitive integration of new development of High-rise buildings to ensure Ottawa meets its intensification targets while considering liveability for all.

Section 5.2 – Inner Urban Transect

This section provides direction for new development along Mainstreet Corridors within the Inner Urban Transect.

Other applicable policies and guidelines

Transit-Oriented Development Guidelines

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

Urban Design Guidelines for High-rise Buildings

The [Urban Design Guidelines for High-rise Buildings](#) apply wherever high-rise residential and mixed-use buildings are proposed, and see to promote and achieve appropriate high-rise development. These are general guidelines, and not all will apply equally in all circumstances. Each context will inform the application of, and the

emphasis on, various guidelines. Specific site context and conditions will be considered in conjunction with these guidelines.

Urban Design Guidelines for Development along Arterial Mainstreets

The [Urban Design Guidelines for Development along Arterial Mainstreets](#) aim to promote and achieve appropriate development along Arterial Mainstreets.

Heritage

The property is directly adjacent to the Central Experimental Farm (CEF), a National Historic Site, and in close proximity to four properties on the City's Heritage Register (426-428 Hamilton, 748 Parkdale, 6 Inglewood).

In accordance with Policy 4 of Section 4.5.2 of the Official Plan, development on or adjacent to a National Historic Site shall have regard for its cultural heritage value, and the City may require demonstration that development does not adversely impact its defined cultural heritage value.

A Cultural Heritage Impact Statement (CHIS) was submitted in support of the proposed Zoning By-law Amendment, which assessed the impact of the proposed development on the identified heritage resources. An updated CHIS was submitted by the applicant on August 19, 2023, to reflect the current development proposal and acknowledge updated shadow studies and correspondence from Agriculture and Agri-Food Canada's (AAFC) findings. Staff have reviewed its content and determined that it meets the Terms of Reference criteria for Heritage Impact Assessments.

Heritage Planning does not dispute any scientific findings from AAFC but concludes that the proposed development, when looked at individually, does not adversely impact the cultural heritage value of the CEF, defined in its Commemorative Integrity Statement. The CEF's role as a historic and current place of agricultural research and its understanding as a farm within the city will remain. Further, the character-defining elements of the fields, plots, and shelter beds will be maintained.

Notwithstanding, Heritage Planning acknowledges that broader development around the CEF, based on the existing policy framework, may have cumulative impacts on the CEF's defined cultural heritage value and the Department acknowledges the concerns raised by AAFC and will commit to further discussions on the policy framework in consultation with the National Capital Commission (NCC) and AAFC.

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 9, 2022, which was open to the public.

The panel's recommendations from the formal review of the Zoning By-law Amendment application can be found in Document 7 of this report.

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

- The tower floor plates have been reduced to be under 750 square metres.
- Improvement to the architecture and materiality of the building. The white elements have been extended down to levels five and six to eliminate the colour blocking. More brick has been introduced on all facades at the podium levels, particularly along Carling Avenue and the North elevations.
- Improvement to the integration of the mechanical penthouses into the building design by shifting them to be parallel with the face of the towers.

If certain recommendations of the panel were not able to be met, explain why:

- The Panel was of the opinion that the site could not accommodate two towers, given that the towers do not meet the separation requirements and impact the public space's usability, quality, and distribution. It was recommended that one tower with a podium would be more appropriate. The site and proposed buildings were revised since UDRP to be in conformance with all applicable provisions in Section 77 of the Zoning By-law, including the required 20-metre minimum separation distance between towers on the same lot.
- The Panel suggested the proponent explore orienting the western building parallel to Carling Avenue. This suggestion was not implemented as it was determined that the parallel orientation would result in the majority of the mass being located closer to the abutting neighbourhood, unfavourable space allocated for the 10 per cent parkland dedication, an undesirable tower separation, and further shadow impacts to the North.
- The Panel recommended having grade-related units facing the park. This recommendation was not implemented in order to accommodate additional ground floor amenity space.

Staff are satisfied with the design changes resulting from the UDRP process, and details such as improvements to the architecture and materiality of the proposed buildings. The more detailed direction of site development will be further analyzed through the subsequent Site Plan Control application.

Planning rationale

Official Plan

The subject site is designated as “Mainstreet Corridor”, subject to the Evolving Neighbourhoods Overlay, on Schedule B2 – Inner Urban Transect, of the Official Plan.

Section 2.2.1, Intensification and Diversifying Housing Options, provides policy direction for intensification within the City of Ottawa. It is identified that residential growth be directed to the existing built-up urban area, including along Corridors, provide housing options for larger households, and improve public amenities and services, to support the evolution of 15-minute neighbourhoods and achieve the City’s intensification goals. The proposed development is located along a Mainstreet Corridor, within the built-up urban area, on a site abutting a future LRT Station as identified on Schedule C2 – Transit Network ultimate. Carling Avenue is also an existing transit priority corridor with access to reliable bus service; there are eight OC Transpo frequent and local bus routes running in proximity to the site.

High-density development along Mainstreet Corridors is permitted within the Inner Urban Transect, subject to proximity and access to transit, limits on building heights and massing, and resolution of any constraints in water, sewer and stormwater capacity (Policy 5.2.1(3)). The subject site is located within 600 metres of a future Light Rail Transit station, as shown on Schedule B2 of the Official Plan; a station is planned at the intersection of Carling Avenue and Parkdale Avenue, directly adjacent to the site. Currently, the subject site also has access to frequent and local bus service along nearby and abutting streets. Limits on building heights and massing are being applied to the site through Schedule YYY, as shown in Document 3. An Assessment of Adequacy of Public Services as submitted in support of the proposed development, which has been reviewed by Engineering staff. Adequacy of public services (water, sewer and stormwater capacity) has been confirmed.

The proposed building heights, 16- and 27-storeys, are consistent with the Official Plan. Policy 5.2.3 (2) identifies that building heights up to High-rise (10 to 40 storeys) are permitted along Mainstreet Corridors where the width of the abutting right-of-way is 30 metres or greater, subject to appropriate height transitions, stepbacks, and angular planes. The width of Carling Avenue, after widening requirements have been exercised, is 44.5 metres. This policy also directs that the heights of podiums be proportionate to the width of the abutting right-of-way, and consistent with the urban design section on High-rise built form (Section 4.6.6, Policies 8 and 9). The four-storey podiums provide an appropriate relationship to both the abutting rights-of-way and the abutting low-rise residential properties at the rear. Staff are further satisfied that the proposed

development is consistent with Policies 8 and 9 through the provision of a well-defined base, middle and top; tower floorplates that do not exceed 750 square metres; adequate space at grade for soft landscaping and trees is provided and will be further refined through a future site plan control application; and, the proposed tower separation meets the zoning requirements outlined in Section 77 (Provisions for High-Rise Buildings) of the Zoning By-law.

The podium and tower design are also consistent with other applicable urban design policies contained in the Official Plan (Section 4.6.6), the Urban Design Guidelines for High-rise Development and the Urban Design Guidelines for Development along Arterial Mainstreets. Policies 1 and 2 of Section 4.6.6 provides direction on how to enable the sensitive integration of new development of High-rise buildings into existing contexts through gradual changes in height and massing, the stepping down of buildings, and the setbacks from low-rise properties, all of which are to be generally guided by the application of an angular plane. Both towers are setback from the rear property line. The east tower is set back 16.5 metres from the south side of the public laneway to the north, and the west tower is set back 11.4 metres from the shared property line with 425 Hamilton Avenue South. Each tower also utilizes a series of stepbacks to enhance transition to the abutting neighbourhood by providing a gradual change in height from the rear property line and limiting the mid-rise portions of the buildings within the 45-degree angular plane. The east tower is stepped back 3.2 metres above the fourth storey podium and an additional 7.0 metres above the ninth storey. As a result, the tower portion of the building is setback 27 metres from the south side of the public laneway to the north. There is also a notch in the northwest corner of tower portion of the building to achieve a minimum 20 metres of separation between the tower portion of the building and the shared property line with 425 Hamilton Avenue South (the nearest residentially zoned lot), as directed for emerging downtown districts in the Urban Design Guidelines for High-rise Buildings; this is appropriate given the rapid transit planned for Carling Avenue. The west tower is stepped back 8.4 metres above the fourth storey podium and an additional 2.7 metres above the twelfth storey. Along Carling Avenue, the proposed buildings are situated along the front lot line and occupy most of the frontage, per the Urban Design Guidelines for Development along Arterial Mainstreets.

Comments were also received from Agriculture and Agri-Food Canada (AAFC) noting concerns related to the shadowing impacts to AAFC's Central Experimental Farm (CEF) property created by the height of the towers. Concerns expressed that the new shadows will negatively impact the ability of the CEF to continue research activities on impacted portions of their property due to the variation introduced by the additional shadowing. Following the AAFC comments, additional concerns were raised by the Ottawa Heritage

community as the CEF's use as a research facility is closely tied to its cultural heritage value – see Heritage section of the report for further details.

Staff have reviewed the shadow analysis and revised Cultural Heritage Impact Statement (CHIS) provided by the applicant in support of the proposed development and are satisfied that the proposed development does not create an undue adverse impact on the CEF and the ability to continue research activities. It is acknowledged that there will be a minimal shadowing impact on the CEF; however, the new net shadow does not exceed the criterion identified in the City's Terms of Reference for Shadow Analysis for public spaces and/or deviate from the direction in the Official Plan regarding the CEF and its role within the capital greenspace network. The limited amount of net shadow gain that occurs late in the day, in staff's opinion, is not of a significant degree that would remove the ability for scientific, educational, and cultural purposes to continue.

The criterion identified in the City's Terms of Reference for Shadow Analysis for public spaces is that the new net shadow must not result in an average of 50 per cent of any public space being cast in shadow for 5 or more hourly interval times during the September test date only. The new net shadow on the CEF for the September test date (September 21) is not cast on 50 per cent of the property, and impacts are generally limited to between 4:00 PM and 6:00 PM (2 hours) – see Document 6 for further details. Additional test dates yield similar results with new net shadows being cast generally in the two-to-three-hour range, but the small tower floorplates result in the shadows traversing local areas quickly. Further, only a portion of the new net shadow for the September test date is located on lands where agricultural uses are permitted (i.e., lands zoned L3); the majority of shadows are located on the area of the CEF lands where non-agricultural uses exist such as the helicopter pad for the Civic Hospital, surface parking, office buildings, and where open grass fields are located (i.e., lands zoned AM10).

Additionally, the Official Plan designates the CEF as 'Greenspace', with a sub-designation of 'Open Space'. Policy 7.1(7)(c) provides direction regarding the Central Experimental Farm within the Greenspace Designation of the Official Plan, indicating that as an open space it is not intended for natural heritage protection of environmental features or for recreation, but is reserved for scientific, educational, and cultural purposes as part of the capital greenspace network. For the reasons described above, it is not anticipated that the new shadows created by the proposed development will remove the ability to conduct scientific, educational, or cultural activities at the CEF.

Overall, the proposed development is consistent with the Official Plan and demonstrates residential development in a manner that is supportive of the City's intensification goals.

Staff are satisfied that high density development is appropriate for the site, the proposed building heights are appropriate for the site, adequate transition to the abutting low-rise neighbourhood to the north has been achieved, and that the resultant shadowing on the CEF does not create an undue adverse impact.

Zoning Details

The following summarizes the planning rationale for the recommended zoning details:

- The proposed 16- and 27-storey buildings are consistent with the Official Plan, as detailed above. Building setbacks, stepbacks and maximum heights are established through a site-specific zoning schedule (see Document 3).
- The reduced aisle width of 6.0 metres is functional and maintains the ability to introduce commercial uses in the future. Staff have no concerns with the requested relief.
- The requested relief to the requirement for 50 per cent of the frontage along the front lot lines to be within 7.5 metres has been included to maintain the ability to convert the ground floor to commercial uses in the future without the need for additional zoning relief in the future. The subject provision identifies that 50 per cent of the frontage along a front lot line for a residential use must be within 4.5 metres of the front line, and within 3.0 metres for a non-residential use. Staff have no concerns with the proposed relief as the increase to 7.5 metres considers the required road widening along Carling Avenue, which will be taken through the site plan control process.
- Amenity area has been allowed in a permitted projection above the height limit (i.e., mechanical penthouse) to increase the usability and functionality of the rooftop amenity spaces. Permitted amenity space in the mechanical penthouse has been limited to a maximum of 200 square metres atop each tower to ensure that the amenity area in the permitted projection is limited and remains accessory to the outdoor rooftop amenity space.
- A holding symbol (-h) has been included to ensure that the location of the traffic barrier on Hamilton Avenue South is subject to a fulsome review through the Site Plan Control process.

Provincial Policy Statement

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

RURAL IMPLICATIONS

There are no rural implications.

COMMENTS BY THE WARD COUNCILLOR(S)

Councillor Leiper has provided comments for the application, which are detailed in Document 8 of this report.

ADVISORY COMMITTEE(S) COMMENTS

N/A

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications.

ASSET MANAGEMENT IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

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

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-21-0093) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity of issues associated with site and building design.

SUPPORTING DOCUMENTATION

Document 1 Zoning Key Map

Document 2 Details of Recommended Zoning

Document 3 Schedule YYY

Document 4 Conceptual Development Plan

Document 5 Consultation Details

Document 6 Central Experimental Farm Shadow Analysis (September 21)

Document 7 Urban Design Review Panel Recommendations

Document 8 Comments by the Ward Councillor

CONCLUSION

The Planning, Real Estate and Economic Development Department supports the application and proposed Zoning By-law Amendment for 1081 Carling Avenue. The proposed development is consistent with the Official Plan, which encourages intensification and high density development along Mainstreet Corridors on lots where appropriate transition to surrounding context can be achieved.

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 and Corporate Services Department (Mail Code: 26-76) of City Council's decision.

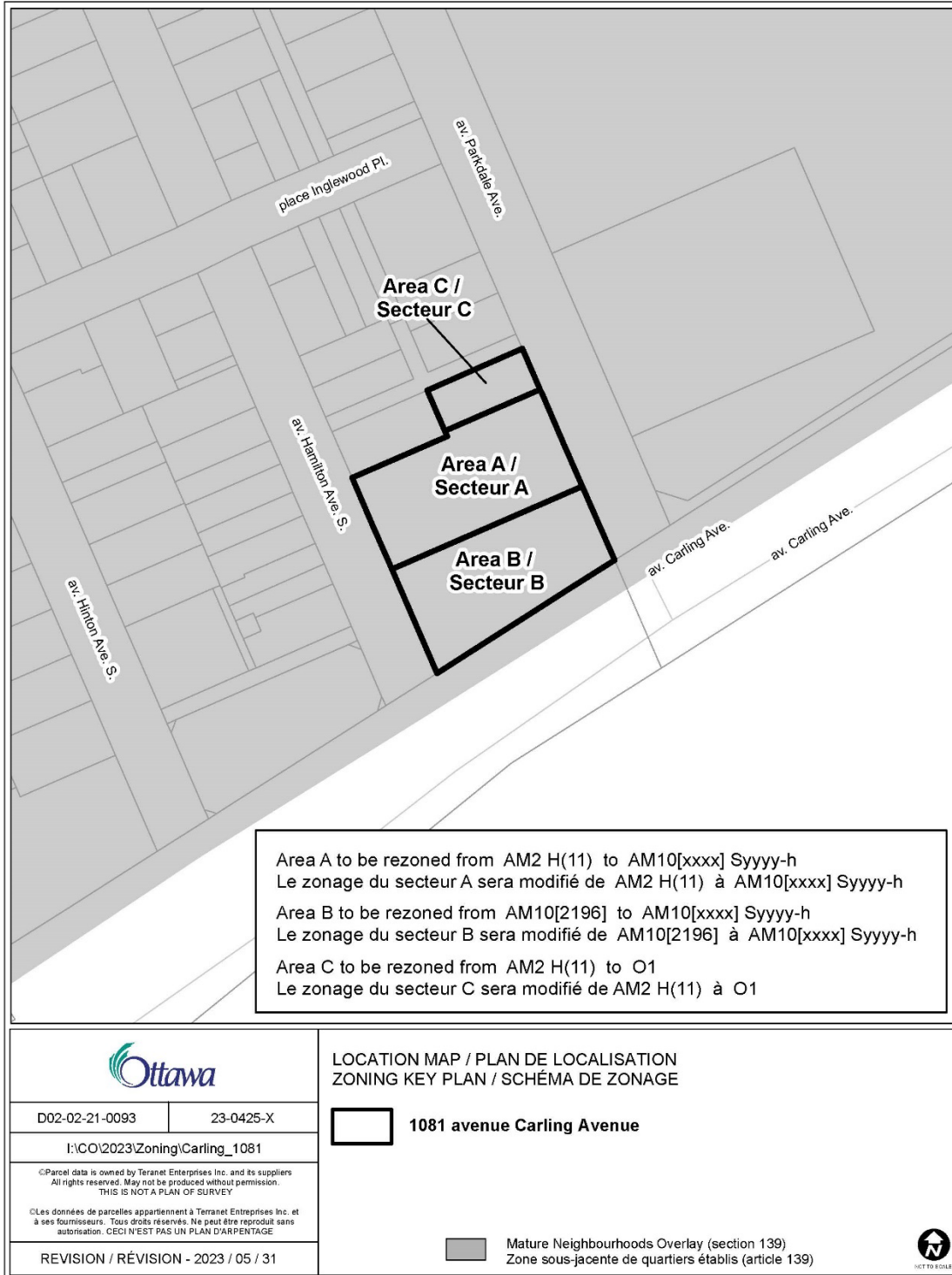
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

Legal Services, City Manager's Office to forward the implementing by-law to City Council.

Planning Operations, Planning Services to undertake the statutory notification.

Document 1 – Zoning Key Map

For an interactive Zoning map of Ottawa visit [geoOttawa](https://geoottawa.com)



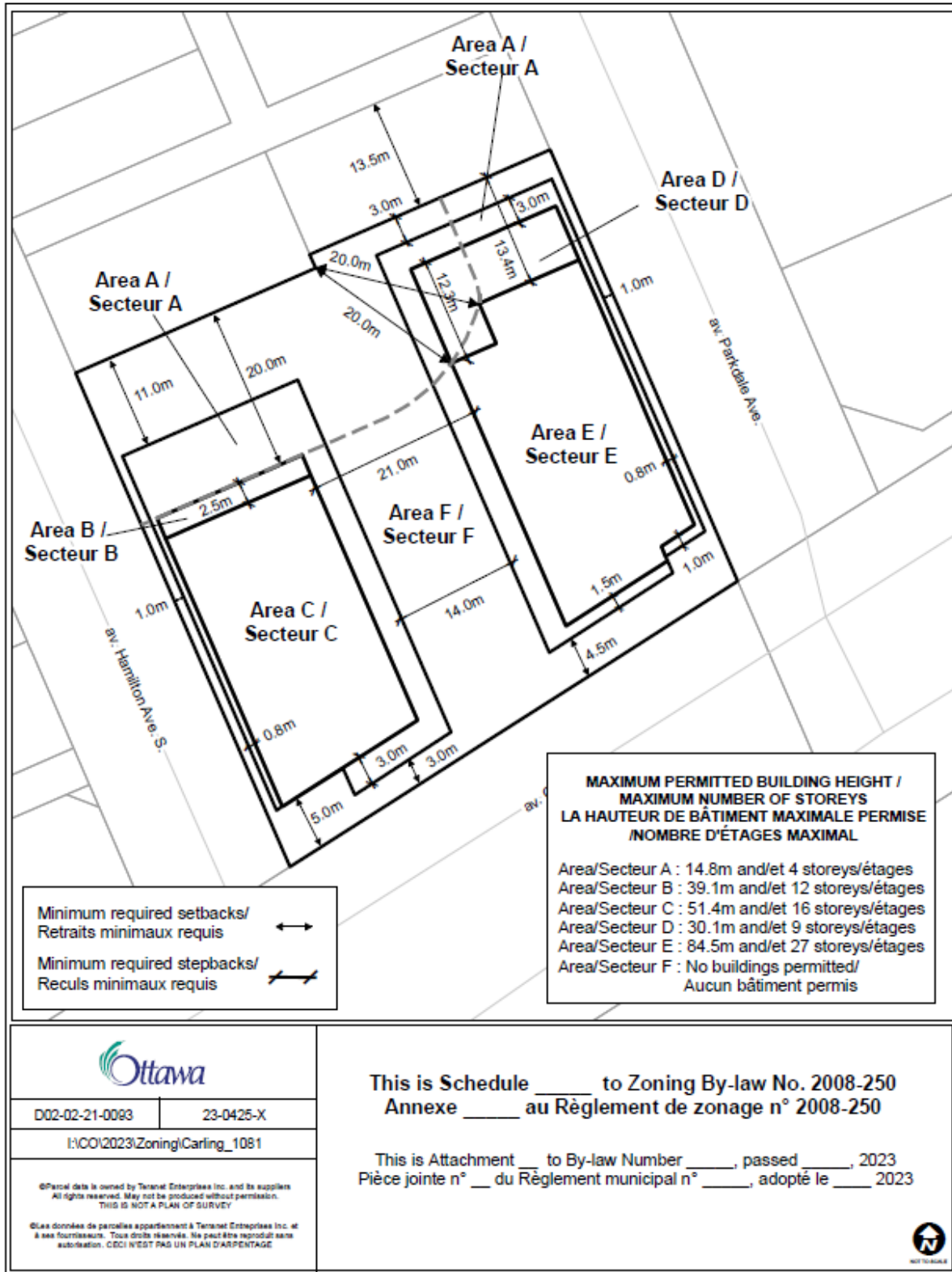
Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1081 Carling Avenue:

1. Rezone the lands shown as Shown in Document 1.
2. Amend Part 17, Schedules, by adding a new Schedule yyy, as shown in Document 3.
3. Amend Section 239 – Urban Exceptions, by adding a new exception [xxxx] with provisions similar in effect to the following:
 - a. In Column II, Applicable Zones, add the text “AM10[xxxx] Syyy-h”.
 - b. In Column III, Exception Provisions – Additional Land Uses Permitted, add the text, “Apartment Dwelling, High Rise”.
 - c. In Column V, Provisions, add the text:
 - i. Building setbacks, stepbacks and maximum heights per Schedule ‘yyy’.
 - ii. Despite Table 107, the minimum required width of a drive aisle providing access to parking spaces in a parking lot or parking garage is 6.0 metres.
 - iii. Despite Section 185(10)(b)(i), at least 50 per cent of the frontage along the front lot line must be occupied by building walls located within 7.5 metres of the frontage along Carling Avenue.
 - iv. Permitted projections listed in Section 64 and 65 of the Zoning By-law are not subject to the height limits identified on Schedule yyy.
 - v. An indoor amenity area and associated washroom facilities is permitted as a permitted projection above the height limit in Areas C and E on Schedule YYY to a maximum area of 200 square metres each and limited to a maximum height of one storey.
 - vi. The holding symbol can be removed only at such a time as the following condition(s) are met:

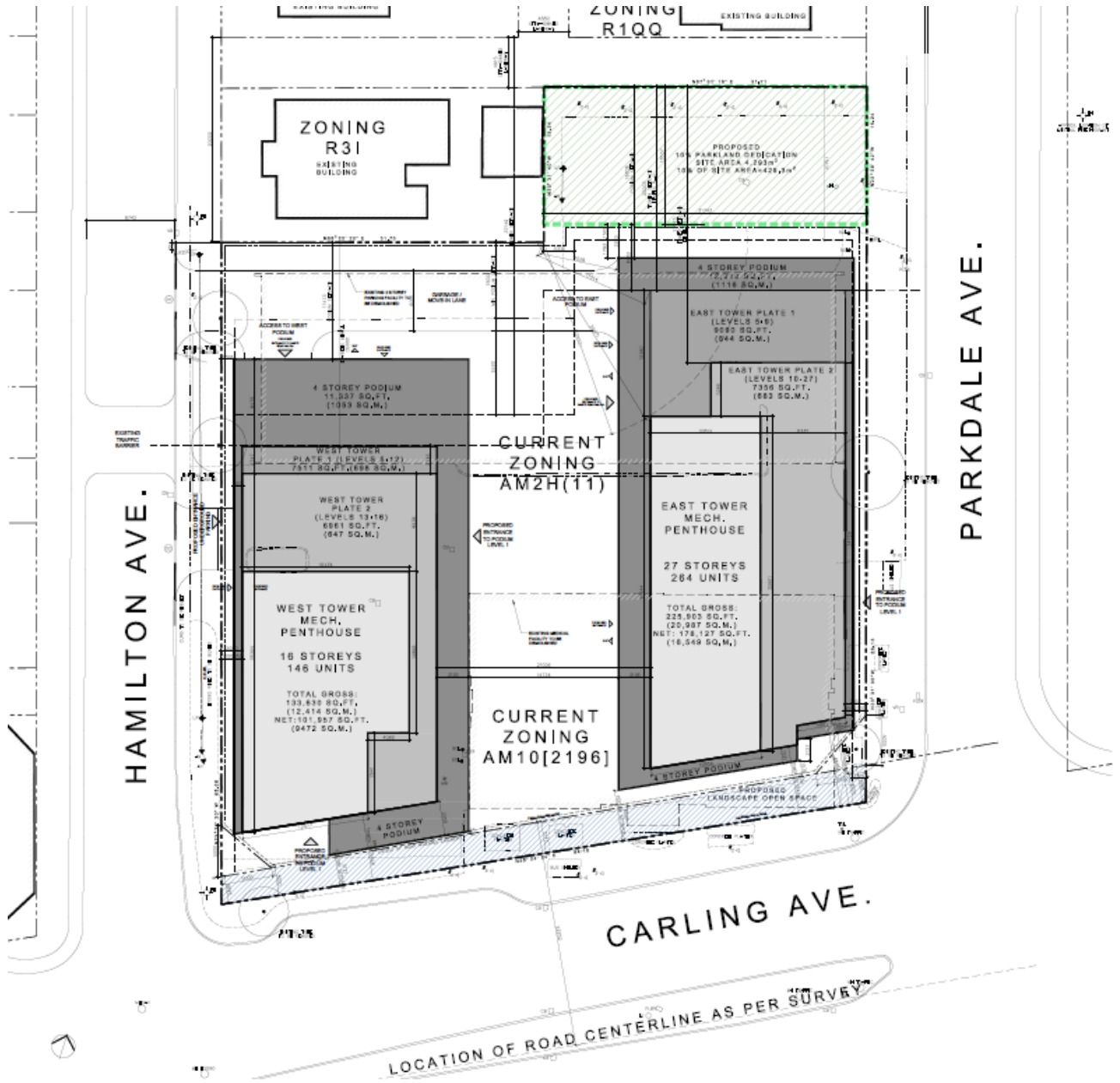
1. A Site Plan Agreement has been executed, with approval including a plan and/or conditions of approval confirming the location of the traffic barrier on Hamilton Avenue South.

Document 3 – Schedule YYY

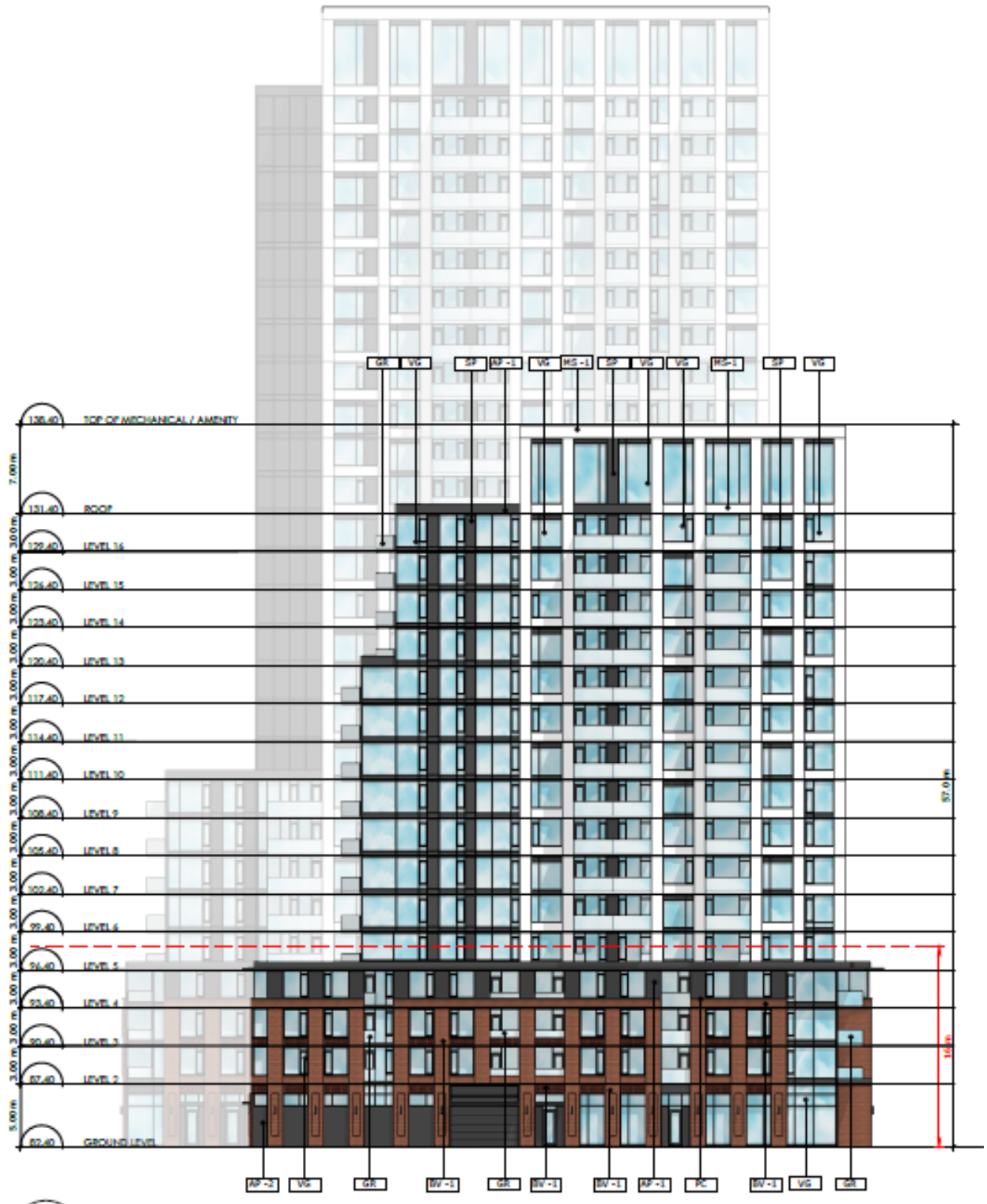


Document 4 – Conceptual Development Plan

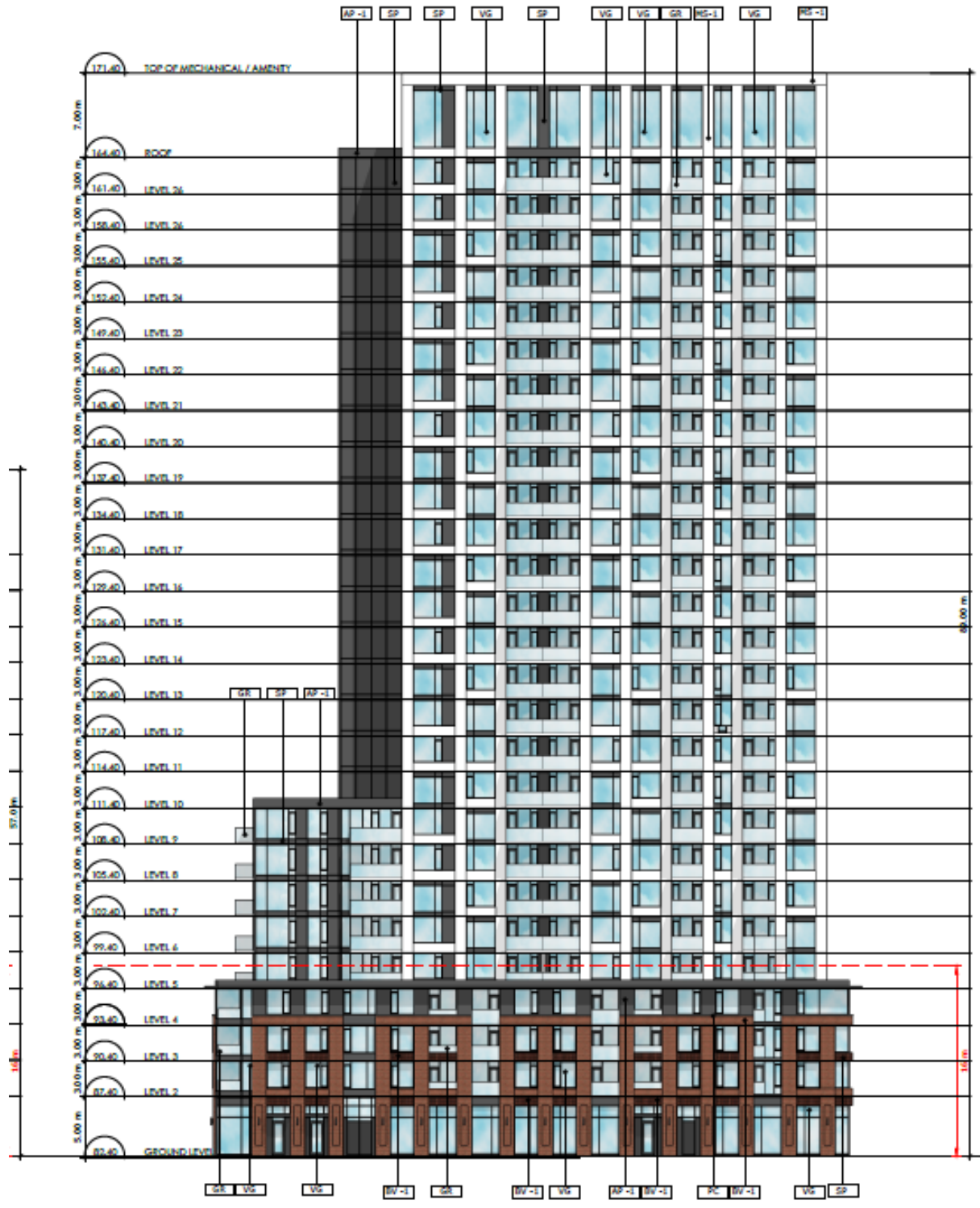
Conceptual Site Plan



Building Elevation – West Tower (West Elevation)



Building Elevation – East Tower (West Elevation)



Document 5 – Consultation Details

Notification and Consultation Process

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. A virtual public meeting was also held on October 12, 2021, with approximately 160 people in attendance.

Public Comments and Responses

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

1. Built Form

- The proposed building heights are not appropriate in this location. A mid-rise building (nine storeys or less) would be more appropriate for the site and would reflect current zoning permissions.
- Concerns that approval of the proposed building heights will set a precedent for the surrounding area.
- Concerns that the podium heights of the proposed buildings are not at an appropriate scale. The podiums directly abutting the lower-scale neighbourhood should match the height of the neighbouring lower-scale buildings.
- Concerns that the West Tower fails to achieve the minimum 20-metre setback from the closest residential property (425 Hamilton Avenue South).
- Concerns that the proposed development does not meet the 45-degree angular plane. A more gradual transition should be provided.
- Consider changing the built form at the back-half of the proposed towers to mid-rise, stepping down to a low-rise that could possibly include at-grade walk-out units (e.g., townhouse style units with private landscaped areas).
- The proposed setbacks and building setbacks are minimal and inadequate.
- Towers should be pushed closer to Carling Avenue and away from adjacent low-rise community.

Response

The Official Plan identifies that the subject site to be appropriate for high-rise development (10 to 40 storeys) subject to appropriate height transitions, stepbacks, and angular planes. Staff are satisfied that appropriate transition has been achieved for both towers through the utilization of a gradual change in height and a minimum 20-metre setback from the tower portions of the buildings to the low-rise neighbourhood to the north.

Since the original submission, the tower heights have been reduced to 16 and 27 storeys, the podium heights have been reduced from six to four storeys, East Tower massing has been shifted closer to Carling Avenue, tower separation has been increased to 21 metres, and additional stepbacks added to both towers.

2. Compatibility with the surrounding area

- Proposal should be sensitive and consider its impacts on the surrounding public institutions.
- Current sight lines from NCC driveway over the Central Experimental Farm will look very different with the proposed building.
- Concerns that the proposed development is not compatible with the character of the Civic Hospital neighbourhood to the north, which is generally characterized low-rise residential dwellings.
- Concerns that the proposed development will negatively impact the heritage value of heritage properties located within the Civic Hospital neighbourhood.

Response

Transition to the abutting low-rise neighbourhood to the north was considered in the review of the application. The proposed development employs height transitions, stepbacks, and angular planes to achieve appropriate transition.

A Cultural Heritage Impact Study (CHIS) was submitted in support of the proposed development, which analyzed the impact of the development on surrounding heritage resources including the Central Experimental Farm (CEF) and heritage properties within the Civic Hospital neighbourhood. Heritage staff reviewed the CHIS and confirmed that the proposed development will not negatively impact surrounding heritage resources.

3. Density / Land Use

- Concerns about the increase in density. There are not enough services and amenities within proximity of the site to support population increase.
- Consider including a mix of uses (i.e., commercial, etc.) into the proposed development.

Response

The subject site is designated as “Mainstreet Corridor” in the Official Plan. Corridors are planned to accommodate higher density of development, a greater degree of mixed uses and a higher level of street transit service than abutting Neighbourhoods. Provisions have been included to facilitate the conversion of the proposed development to mixed-use in the future.

4. Housing

- Supportive of the redevelopment of this site and the introduction of new residential options in the area to address the “Housing Emergency”.
- Will the building include any affordable units? Are there possibilities for partnerships with non-profit providers?
- Will any units be rental?
- Three-bedroom units should be provided in the proposed buildings.

Response

The applicant has advised that the Owner intends to build an affordable housing component into the proposed development. The Owner will explore possible approaches to incorporating affordable housing into the development in the next stages of the project, including partnerships with Community Associations, Municipal Organizations, or Federal funding programs such as CMHC, RCFI and MLS Select.

It is anticipated that all units will be rental.

5. Infrastructure

- Concerns related to impact of overloaded storm and sanitary sewer systems caused by this size of a development.

Response

An Assessment of Adequacy of Public Services was submitted in support of the proposed development. Engineering staff have reviewed the report and confirmed that there is available capacity in surrounding storm and sanitary infrastructure to accommodate the proposed development.

6. Traffic

- Concerns that the proposed development will result in increased traffic on Carling Avenue and Parkdale Avenue.
- Concerns that overflow parking from the proposed development on surrounding streets will make street narrower and more difficult to traverse, especially in winter.
- Concerns that the Transportation Study submitted in support of the proposed development was completed based on data collected during the pandemic and is therefore not reflective of “normal” traffic volumes.
- Concerns about the increase in traffic along Hamilton Avenue South, north of the existing traffic barrier, resulting from the “garbage / move-in lane” access. The developer is underestimating the trips that will be generated by residents through food delivery orders, online shopping, furniture delivery, moving trucks, service calls, etc.
- Consider shifting the accesses from Hamilton Avenue South to Parkdale Avenue and Carling Avenue, to minimize impact to local streets.
- Concerns about vehicles originating from the proposed development detouring into neighbourhood streets to avoid potential gridlock on Carling Avenue.
- Concerns that the location of the parking garage access along Hamilton Avenue South, south of the existing traffic barrier, will result in an increase in U-turns being made at the Carling/Parkdale intersection by drivers travelling eastbound along Carling Avenue toward the proposed development.

Response

A Transportation Impact Assessment (TIA) has been submitted in support of the proposed development, which found that the existing road network can support the traffic generated by the proposed development. Transportation staff have reviewed the report and confirmed the accuracy of methods and findings.

The location of the traffic barrier on Hamilton Avenue South will be further evaluated through a future Site Plan Control application.

7. Cyclist / Pedestrian Safety

- Concerns with the safety of cyclists along Carling Avenue and Parkdale Avenue. There is a significant amount of bicycle parking proposed, but no cycling infrastructure on Carling Avenue or Parkdale Avenue.
- Concerns with pedestrian safety due to increased traffic resulting from the proposed development. Consider increasing the width of sidewalk abutting the site.
- There is a need for a safe pedestrian connection between the subject site and the Central Experimental Farm.

Response

Traffic generation from the subject site is anticipated to decrease as a result of the proposed development. The pedestrian connection from the site to the Central Experimental Farm at the intersection of Carling Avenue and Parkdale Avenue will not be impacted by the proposed development; intersection is signalized and has pavement markings to indicate pedestrian crossing areas.

8. Transit

- Concerns that request for increased density is predicated on a future Light Rail Transit Station, but it is unclear when or if it will be constructed. A holding symbol should be utilized to ensure that the LRT station is confirmed prior to construction.
- Concerns that transit in the area cannot accommodate the number of residents that will be living in the proposed towers.

Response

Staff are satisfied that the subject site has adequate access to current and future transit to accommodate the proposed development. The site is currently well-served by public transit – there are eight bus OC Transpo bus routes running in proximity to the site. Further, the subject site is located within 600 metres of a future LRT station.

9. Parking

- Less vehicle parking should be provided to encourage utilization of more sustainable modes (e.g., transit, cycling, walking, etc.).
- Concerns that not enough parking is proposed as part of the development.

- Concerns about overflow parking on residential streets resulting from the proposed development.

Response

The proposed development is meeting the minimum parking requirements set out in the Zoning By-law.

10. Hamilton Avenue South Traffic Barrier

- Concerns about relocating the traffic barrier north of the “garbage / move-in lane” access on Hamilton Avenue South.

Response

Relocation of the traffic barrier on Hamilton Avenue South is to be explored further through a future Site Plan Control application. A holding symbol has been applied to the recommended zoning to ensure the matter is adequately assessed.

11. Parkland Dedication

- The size of the park is not sufficient.

Response

Parkland dedication is provided in accordance with Parkland Dedication By-law No. 2022-280.

12. Environment and Trees

- Concerns about tree removal and lack of replacement tree planting.
- Concerns about bird safety.
- Concerns about the environmental impact of demolition.
- Green building design should be utilized for the proposed development.

Response

Unfortunately, the trees along the perimeter of the site are not anticipated to survive through the construction process; 38 new trees are proposed as part of the proposed development to replace the trees to be removed. The proposed development will utilize bird-safe design techniques to ensure bird safety.

13. Wind

- Concerns that the introduction of higher building heights will create wind shear issues in the area due to the site's proximity to the Central Experimental Farm, which is generally flat, open land.

Response

A Pedestrian Level Wind Study has been submitted in support of the proposed development, which confirms that acceptable wind levels can be achieved on the site through the implementation of various mitigation measures in the proposed development.

14. Shadowing

- Concerns that the proposed buildings will result in increased shadowing on abutting residential neighbourhood to the north and associated negative impacts (e.g., unable to utilize solar panels, reduced viability of vegetation/gardens, etc.).
- Consider rearranging and/or reducing the height of the towers on the west side of the proponent's property to ameliorate the shadowing effects.
- Concerns about shadow impact on the Central Experimental Farm.

Response

A Shadow Study was submitted in support of the proposed development, which evaluates the shadow impact on surrounding properties, including the low-rise residential neighbourhood to the north and the Central Experimental Farm (CEF). The shadow study have been evaluated against the City of Ottawa's Terms of Reference (TOR) for Shadow Analysis. No evaluation criteria is provided for ground level residential private outdoor amenity space within the Greenbelt, per the City of Ottawa's Shadow Analysis Study terms of reference. The provided shadow analysis for the CEF shows that the criterion for public spaces is not exceeded – the new net shadow on the CEF from the proposed development does not result in an average of 50 per cent of any public space being cast in shadow for 5 or more hourly interval times during the September test date only.

15. Noise / Odour

- Concerns about noise resulting from the proposed development (e.g., heating and cooling equipment).

- Concerns about negative impact of noise and odours associated with the proposed loading zones at the rear of the site, especially on properties directly abutting the loading areas. Increased separation should be provided between the garbage pick-up area in the west tower and the shared property line with 425 Hamilton Avenue South.
- Concerns about the location of the proposed open space at the intersection of Carling Avenue and Parkdale Avenue. The noise and pollution from idling vehicles will make the space undesirable for use.

Response

The waste storage area is located within the interiors of the proposed buildings to mitigate associated odour concerns. Loading areas and garbage/move-in lane have been reconfigured to provide greater separation from shared property line with 425 Hamilton Avenue South. Open space at the intersection of Carling Avenue and Parkdale Avenue has been removed from the proposed development.

Community Organization Comments and Responses

The following summarizes the comments provided by the Civic Hospital Community Association (CHNA) in response to the proposed development.

1. Positive Comments

- The CHNA supports the conversion of the former five to 12 storey portion of the building to a mid-rise building mass (at five to nine-storeys) to assist with transition of the Tower to the adjacent neighbourhood.
- The CHNA appreciates that this change also reduces the size of the high-rise footprint.
- The CHNA supports the “corner-ave out” of the Tower Floorplate so that there is a 20 separation between the Tower and the backyard of 435 Hamilton Avenue.

Response

Noted - staff appreciate the positive feedback.

2. Transition between the East Tower and the adjacent low-rise community.

- Concerns with the size of the setback above the fourth storey because. It creates a significant mass overlooking the proposed park and the adjacent low-rise neighbourhood and does not fall within the 45-degree angular plane, as

required by section 4.6.6 of the New Official Plan and as shown in Figure 15 of the New Official Plan.

- Concerns that the 27-storey height does not fall within the 45-degree angular plane, as required by section 4.6.6 of the New Official Plan and as shown in Figure 15 of the New Official Plan.
- Concerns that the 27-storey height does not meet the criteria and test found in Section 5.2.3(2) of the Official Plan. Specifically, the Policy states:

“2) Along Mainstreets, permitted building heights are as follows, subject to appropriate height transitions, stepbacks, and angular planes:

a) On sites that front on segments of streets whose right-of-way (after widening requirements have been exercised) is 30 metres or greater as identified in Schedule C16 for the planned street context, and where the parcel is of sufficient size to allow for a transition in built form massing, not less than 2 storeys and up to High-rise; ...and

c) In all cases: i) The wall heights directly adjacent to a street, and the heights of the podiums of High-rise buildings, where permitted, shall be proportionate to the width of the abutting right of way, and consistent with the objectives in the urban design section on Mid-rise and High-rise built form in Subsection 4.6.6, Policies 7), 8) and 9); and ii) The height of such buildings may be limited further on lots too small to accommodate an appropriate height transition.”

When interpreting Official Plan policies the legal principles of Statutory Interpretation apply. Due to the use of “and” as well as the words “subject to” in this policy, high-rise development is only permitted on a Mainstreet corridor if all three of the listed criteria are met. These criteria are “appropriate height transitions”, “stepbacks” **and** “angular planes”.

The principles of Statutory Interpretation also dictate that all words must be given meaning. The fact that three criteria are listed: “appropriate height transitions”, “stepbacks” and “angular planes” is import and means that one cannot state that transition is achieved by building stepbacks and height transitions, as the applicant does in the Planning Addendum, as this would render the “angular plane” criteria meaningless.

Below, I outline how these three criteria are defined.

The term “transition” is the only defined term in the New Official Plan, which defines Transition as:

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

Additionally, the purpose of policy 4.6.6 of the New OP is to:

“Enable the sensitive integration of new development of Low-rise, Mid-rise and High-rise buildings to ensure Ottawa meets its intensification targets while considering liveability for all

1) To minimize impacts on neighbouring properties and on the public realm, transition in building heights shall be designed in accordance with applicable design guidelines. Specifically:

ii) Built form transition between a Corridor and a surrounding Low-rise area should occur within the Corridor.

2) Transitions between Mid-rise and High-rise buildings, and adjacent properties designated as Neighbourhood on the B-series of schedules, will be achieved by providing a gradual change in height and massing, through the stepping down of buildings, and setbacks from the Low-rise properties, generally guided by the application of an angular plane as may be set in the Zoning By-law or by other means in accordance with Council-approved Plans and design guidelines.

A building step-back is an architectural design element that is typically applied to upper storeys of a development, and refers to the distance that these floors are “setback” or “indented” towards the center of the property, resembling a staircase or step- pyramid.

The term “angular plane” is defined in the body of the New Official Plan itself. Section 4.6.6 of the Official Plan speaks to “angular planes” (see underlined section above).

More critically, the New OP includes a Figure 15 a graphic explanation of what is meant by the term angular plane explicitly noting the 45 degree angular plane. This figure highlights the need for transition along this angular plane.

Further, with respect to “angular plane” policy 4.6.6 notes that reference should be made to Council approved design guidelines. One such guideline is the City’s Urban Design Guidelines for High-rise Buildings. These Guidelines state:

“1.17 When a proposed high-rise building abuts lots where only low-rise residential buildings are permitted, the lot should be of sufficient width or depth to establish the desirable transition:

- a. in the Central Area and the emerging downtown districts the lot should be of sufficient size to establish a minimum 20m tower setback from the abutting low-rise residential properties (Diagram 1-5); and
- b. in other areas, the lot should be of sufficient size to establish a gradual height transition on site by generally following an angular plane, typically 45° (Diagram 1-6).

In the “emerging downtown district” the transition is 20 metres between the tower and the low-rise residential property.

However, in other areas an angular plane should be established between the low-rise community and the tower, as shown on Diagram 1-6 from the High-rise Guidelines. This diagram shows the use of a 45 degree angular plane. As the Subject Lands are not part of the emerging downtown district, an angular plane of 45 degrees should be applied to the transition at 1081 Carling, as shown in Diagram 1-6.

Figure 15 in the New OP is also taken from the High-rise Guidelines.

In addition to the requirement to meet all three criteria in section 5.2.3(2), policy 5.2.3(2) (ii) goes on to note that “in all cases” “the height of such buildings may be limited further on lots too small to accommodate an appropriate height transition”.

It is submitted that the 27 storeys proposed for the Subject Property does not meet policy 5.2.3(2) and (2) (ii) because the property does not conform to the 45 degree angular plane (required by policy 4.6.6 and explained further by Figure 15 contained in this policy) nor does it provide an adequate height transition. Further, it is submitted that a 27 storey building (and also a 25 storey building

proposed in the second submission) cannot be accommodated on the lot of the size of the Subject Property.

This fact is conceded by the Applicant in the Addendum to the Planning Rationale. FoTenn notes:

“While this the mass of the east building does extend beyond a 45-degree angular plane,... Overall, the multiple changes made in this resubmission seek to bring the proposed towers into closer conformity with the angular plane.”

It is submitted that the wording of policy 5.2.3(2) is mandatory and not discretionary and that all three criteria apply and must be applied by the City’s Planning department and City Council when evaluating an application. These criteria are: “appropriate height transitions”, “stepbacks” and “angular planes”. It is submitted that these policies very clearly limit height to those heights that can adequately transition to the adjacent low rise community.

It is noted that significant height and density can be achieved on this site while complying with this policy, but this policy dictates that heights be less than both 27 storeys and 25 storeys.

Attached as Appendix 1 to these comments are architectural models and renderings done by architect Bill Gregg. These models highlight that: 1) the proposed towers, and in particular the East Tower are not close to meeting the 45 degree angular plane and 2) that on the site of the proposed east tower a 17 storey tower would fall entirely within the 45 degree angular plane. The applicant is proposing a building 10 storeys taller than this. As outlined above, this built form does not meet the criteria contained in policy 5.2.3(2) of the New OP. As outlined above, this built form does not meet the criteria contained in policy 5.2.3(2) of the New OP.

- There are several ways to improve the transition between the Eastern Tower and the adjacent low-rise neighbourhood:
 - Increase the step-back between the low-rise and mid-rise portion of the building. The current step-back is approximately 3 metre. A larger step-back, in the 6 to 9 metre range, would improve transition. It should be noted that the step-back is 8.5 metres on the Western Tower, AND
 - A reduction in height to either bring the building into conformity with the 45 degree angular plane or bring it much closer to conformity with this angular plane. The Addendum did not include any modeling with respect to the 45

angular plane however, the submission to the UDRP included an application of a 45 degree angular plane to the 25 storey proposal and a significant portion of the Tower falls outside of the 45 degree angular plane. This is confirmed by the modeling of Bill Gregg, attached as Appendix 1 to these comments.

Response

Staff are satisfied that the criteria identified in Policy 2 of Section 5.2.3 of the Official Plan are met, which provides direction regarding permitted building heights along Mainstreet Corridors within the Inner Urban Transect. It is acknowledged that the policy identifies that building heights up to high-rise (10-40 storeys) are permitted along segments of streets whose right-of-way (after widening requirements have been exercised) is 30 metres or greater as identified in Schedule C16, subject to appropriate height transitions, stepbacks, and angular planes. However, staff disagree with the interpretation of “angular plane” outlined in the above comments. Staff interpret the angular plane to be a guide/tool for achieving appropriate transition, as directed in the Urban Design Guidelines for High-rise Buildings, rather than being a prescriptive requirement. Further, the figures included in Section 4.6.6 are included for information purposes, and are not considered policy, as outlined in Section 1.4, How to use the Official Plan. Therefore, a proposed development where the entire mass of a building does not fit within the 45 degree angular plane can still achieve appropriate transition and be considered to conform to the policies of the Official Plan, where the proposed massing, height transitions, and stepbacks are generally guided by the application of an angular plane.

3. Tower Separation

- Concerns that the proposed tower separation of 21 metres falls short of the 23 metres noted in the New Official Plan and the High-rise Design Guidelines.

Response

The proposed tower separation conforms to the minimum tower separation requirements identified in Section 77 of the Zoning By-law.

4. Traffic Barrier

- The CHNA does not support the movement / relocation of the existing traffic barrier on Hamilton Avenue South.
- The CHNA supports the use of a holding zone to consider this issue more fully when a Site Plan is being considered.

Response

A holding symbol has been included in the recommended zoning details, which restricts development on the site until the location of the traffic barrier is confirmed through a future Site Plan Control application.

Document 6 – Central Experimental Farm Shadow Analysis (September 21)



SEPTEMBER 21



1081 CARLING AVENUE

Shadow Analysis

Proposed Development and Existing Context Shadow Overlay in Relation to Experimental Farm - May 4, 2023

Legend:

- Proposed Buildings 4:00pm - 8:00pm* Shadow
- Contextual Buildings 4:00pm- 8:00pm Shadow
- Approximate Zone of Influence
- *7:00 & 8:00pm Not Applicable due to Sunset



Legend:

- Proposed Development
- As-of-Right Shadow Outline
- New Net Shadow
- Public Space
- Arterial Mainstreet



1081 CARLING AVENUE
Top-View Shadow Analysis

Scale: 1:1000
Application No.: D02-02-21-0093
Date: August 22, 2023

MAR/SEPT 4:00pm





Legend:

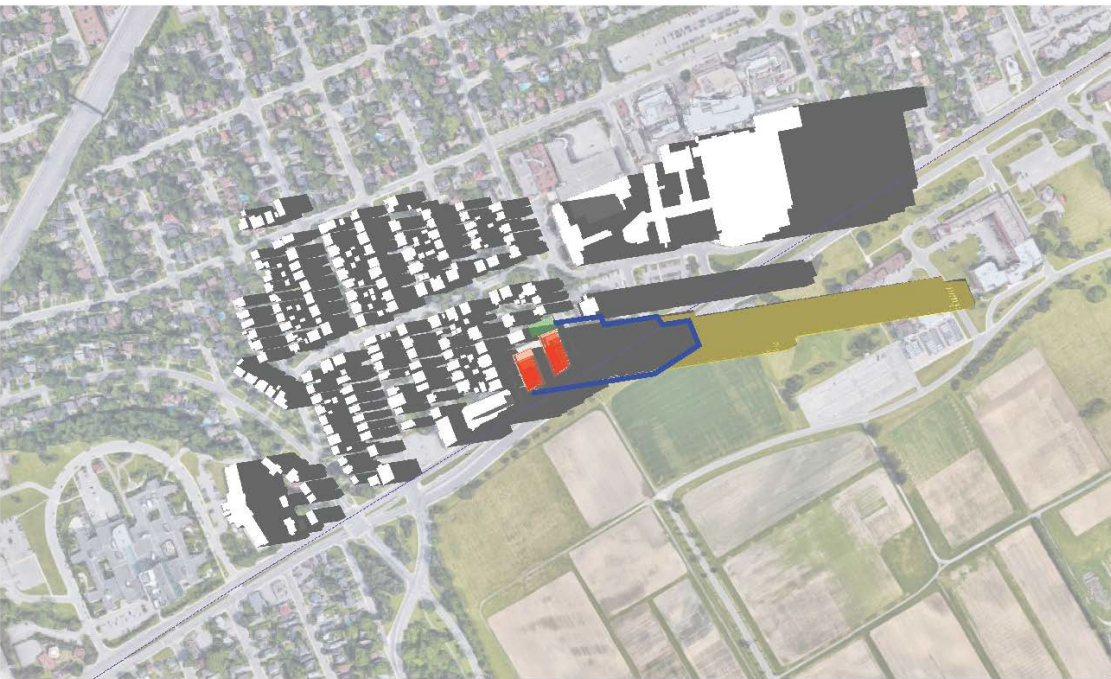
- Proposed Development
- As-of-Right Shadow Outline
- New Net Shadow
- Public Space
- Arterial Mainstreet



1081 CARLING AVENUE
Top-View Shadow Analysis

Scale: 1:1000
Application No.: D02-02-21-0093
Date: August 22, 2023

MAR/SEPT 5:00pm



Legend:

- Proposed Development
- As-of-Right Shadow Outline
- New Net Shadow
- Public Space
- Arterial Mainstreet



1081 CARLING AVENUE
Top-View Shadow Analysis

Scale: 1:1000
Application No.: D02-02-21-0093
Date: August 22, 2023

MAR/SEPT 6:00pm





1081 CARLING AVENUE
Top-View Shadow Analysis

Scale: 1:1000
Application No.: D02-02-21-0093
Date: August 22, 2023

MAR/SEPT 7:00pm
(SUNSET 7:03pm)



- Legend:
- Proposed Development
 - As-of-Right Shadow Outline
 - New Net Shadow
 - Public Space
 - Arterial Mainstreet



1081 CARLING AVENUE
Top-View Shadow Analysis

Scale: 1:1000
Application No.: D02-02-21-0093
Date: August 22, 2023

MAR/SEPT 8:00pm
(SUNSET 7:03pm)



- Legend:
- Proposed Development
 - As-of-Right Shadow Outline
 - New Net Shadow
 - Public Space
 - Arterial Mainstreet

Document 7 – Urban Design Review Panel Recommendations

[1081 CARLING AVENUE | Formal Review | Zoning By-law Amendment and Site Plan Control Application | Taggart Realty Management; Hobin Architecture; Fotenn Planning + Design; CSW](#)

Summary

- The Panel appreciates the design; given the new context of Carling Avenue the proposal will be positive addition to the area. The Panel is concerned however with the building's transition to the well-established neighbourhood to the north.
- The Panel does not believe the site can accommodate two towers, given that the towers do not meet the separation requirements and impact the public space's usability, quality, and distribution. A one-tower with a podium would be more appropriate.

Massing and Scale

- The Panel believes this should be a one tower site integrated with a four to nine-storey podium, providing for an appropriate transition to the neighbourhood. The tower on the west side is too large, and more space is required to provide a proper tower transition. The proponent should consider providing generous tower setbacks with a strong podium.
- The Panel appreciates the podium reduction and the provision of a 20-metre setback on the north. However, The Panel questions the 20-metre tower separation and believes it should be a minimum of 23 metres to allow the base to have a greater separation distance.
- The current tower and podium separation distance create a canyon-like quality that could be improved by moving the easternmost tower forward.
- Given the length of the floor plates, the proponent should consider reducing the floor plate to 750 square metres or lowering the west tower's height to a mid-rise building.
- The Panel questions the market viability of the studio units, given that 11 per cent of studio units for a project is quite high. The proponent should ensure there is a demand for the number of proposed studio units.
- It was suggested the proponent explore orienting the western building parallel to Carling Avenue.

Architectural Expression and Materiality

- The Panel believes the architecture could be simplified as the colour blocking is not successful in creating a reveal between the podium and the tower. The proponent should consider bringing the white elements of the tower down to eliminate the false reveal. Additionally, the brick on the podium has an applique quality; the proponent is encouraged to introduce more brick, to ground the podium and ensure the podium fits with the Parkdale Avenue context.
- The Panel recommends the proponent align the mechanical penthouse parallel to the face of the building to improve its integration.
- It was noted that it would be difficult to achieve the effect of the podium soffits as rendered. The Panel suggests the proponent study the soffits further.

Public realm

- The Panel appreciates the POPS, but the park might not get much natural light given the building's proportions.
- The Panel believes having grade-related units facing the park would be favourable as they provide an opportunity to provide family housing and to animate the park.

Document 8 – Comments by the Ward Councillor

[1081 Carling heading to committee | Kitchissippi Ward](#)

Councillor Jeff Leiper has provided the following comments:

“On August 16, the Taggart proposal for two high-rise buildings at the corner of Parkdale and Carling (where the medical building is now) is expected to move ahead to a Planning and Housing Committee vote. I will likely support the proposal when it is in front of us and want to provide my analysis here.

When this proposal was first made, I considered it too dense with two towers. I still do. It’s hard for me to envision two towers in a single block, and I think many residents agree. The towers in their initial form also had an inadequate transition to the surrounding low-rise neighbourhood. Transition is important to me and is a frequent foundation of my arguments when I’ve opposed towers in past.

With persistent pressure from myself and from the Civic Hospital Neighbourhood Association working with the City planners to provide pushback, the proposal has now been re-configured. It is still two towers, but they are slightly better offset, and the tower closest to low-rise housing has been made significantly shorter than previously. The transition, particularly for the east tower on the north side, is still in my view too abrupt. I am less concerned about the height than I am the lack of stepbacks on that east tower.

To date, Planning Staff have provided indications that the proposal in its current form meets the policies and guidelines that are supposed to guide development in Ontario and Ottawa. I expect that when this file lands on a Planning and Housing Committee agenda, it will be with a recommendation to the committee and Council to approve the sought-after re-zoning.

I don’t like the development, but I also can’t disagree with staff’s assessment.

I’ve written about it before, but it probably can’t be stressed too often that municipalities in Ontario don’t have the final say on land use planning. I am absolutely confident that if Council refuses this development that the developer will take it to the Ontario Land Tribunal. I’ve written in recent weeks about developments where the City is unable to even find a planner willing to take our case, and you’ve read about the Province’s drive to add housing, even to the point of issuing Ministerial Zoning Orders to cities to dictate denser, taller housing than they might otherwise approve.

Viewing this file through the eyes of a member of the Ontario Land Tribunal, I cannot fathom that it would uphold a Council refusal in this case when our own planners have laid out a case for how it conforms to the Provincial Policy Statement and our own Official Plan.

Disagreement on transition

There is, though, a wrinkle. I’m not going to take residents into the weeds, but the CHNA and its capable, respected lawyer have made a very compelling case that, in fact, the proposal does not conform to explicit policies contained within the Official Plan. One of the key requirements contained within our plan for tall buildings in locations like

this is that they provide an appropriate transition to the adjacent low-rise neighbourhood. If one follows the letter of the OP, reading each word with its plain-language meaning, the logical conclusion is that developments like these must provide a 45-degree “angular plane” from adjacent properties. I won’t delve far into it, but it means essentially that from the property line the height of the development can’t rise at an angle steeper than 45 degrees, and that setbacks have to be introduced that constrain the height along that slope line. No one disagrees that the east tower fails utterly to achieve a 45-degree angular plane. The west tower is very close, but also fails to achieve it.

The CHNA’s legitimate argument is that planners are required to adhere to a plain language interpretation of the Official Plan and would thus be bound to recommend refusal of this proposal.

The interpretation that planners have made in this case, though, is that the 45-degree angular plan is not, in fact, a hard-and-fast rule to which every development must comply (unless an Official Plan amendment is sought). Their view is that an appropriate transition can be achieved through multiple approaches, and that the Official Plan was intended to provide a general requirement for transition without being prescriptive about how that is to be achieved. In this case, they consider that the developer’s reduction in the height of the podium and inclusion of a public pocket park between the east tower and adjacent low-rise house constitute the necessary mitigation.

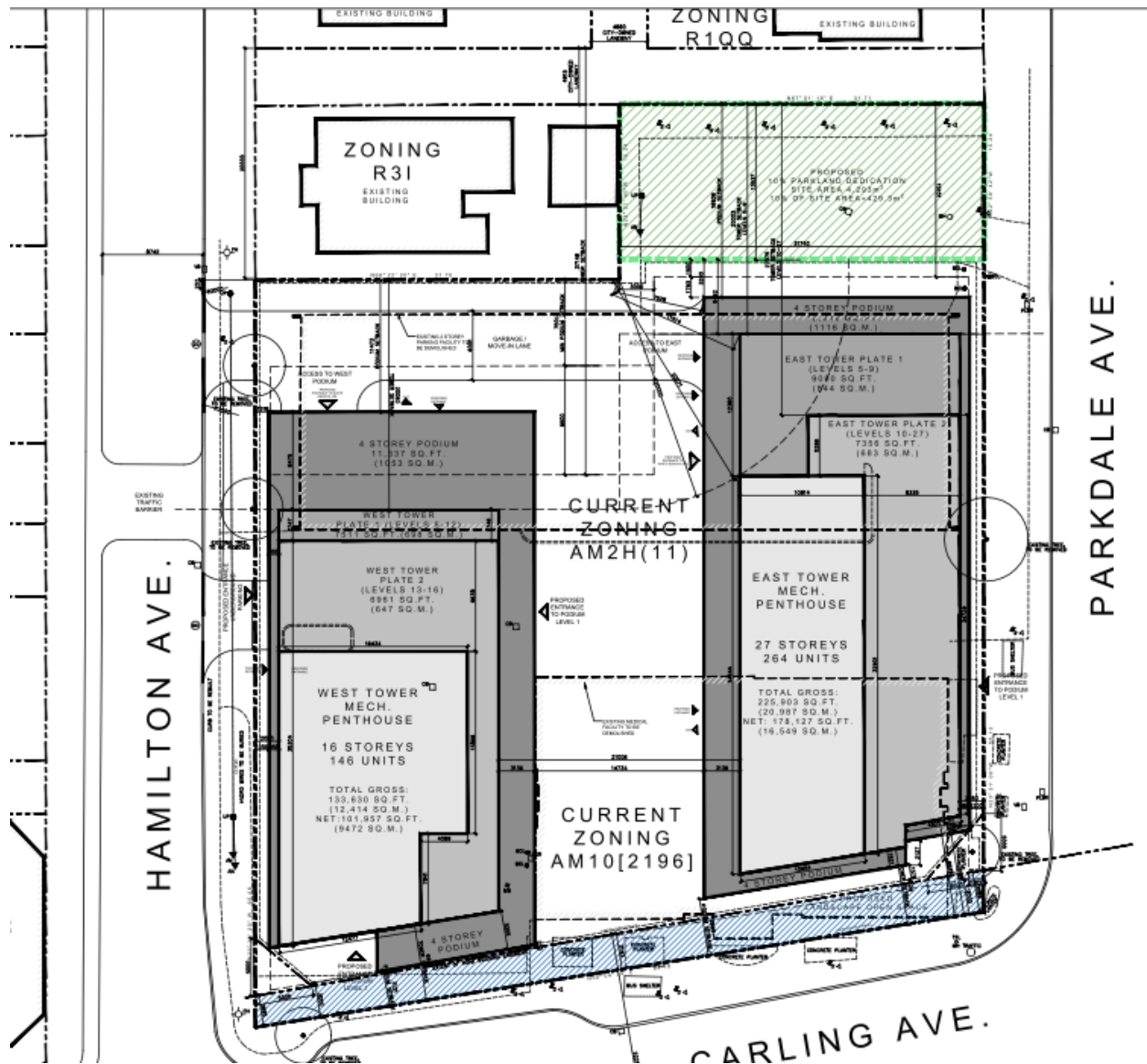
I have, after weeks of turning it over, ultimately decided to support staff in their interpretation. I do not believe that the Official Plan is the appropriate place to set out very specific hard-and-fast quantitative rules. That’s the place of secondary plans and even more appropriately in zoning. I believe the language in the OP requires clarification, but I do not believe that anyone involved in drafting or approving the OP meant for the 45-degree angular plane to be a go/no-go consideration. As we move through the comprehensive zoning by-law review it would behoove us – if we intend for the angular plane to be a hard-and-fast rule – to include it in those discussions. It is also possible that, if this is appealed to the Ontario Land Tribunal, that we will have that clarity imposed on us by way of its eventual decision.

As noted, I am siding with City staff on this question. There is no disagreement that a requirement for appropriate transition is absolutely baked into the OP. Our arterial mainstreets like Carling, especially those that are slated for more and eventually higher-order transit, are where Council will approve towers, but the Official Plan very consciously requires that there be a transition to the adjacent low-rise neighbourhoods

I begrudgingly believe that that transition is achieved. Where the west tower achieves something close to a 45-degree angular plane with what is considered a relatively generous setback to the property line abutting the neighbour’s property to the south, the east tower cannot be said to achieve the required transition through stepped height reductions.

I’ve shown here a detail from the proposed site plan. The configuration would see, from the north, the nearest R1QQ property, a 4.9 metre-wide City-owned laneway, a 13.5 metre-deep parkland dedication and a 3.3 metres-deep setback from the podium to the boundary with the park. In all, there is a roughly 21.7 metre setback from the southern edge of the adjacent low-rise to the east tower’s podium. This is, by any measure, a

generous distance to a podium that has also been reduced in height from the original proposal.



The problem arises as the tower is stepped back just 3.2 metres from the podium for levels 5-9 before levels 10-27 rise up without stepback, albeit with a reasonably generous 7 metres stepback from the levels below it.

Other changes were made to better transition the development overall from the low-rise to the north that are important, but that are not central to the discussion today.

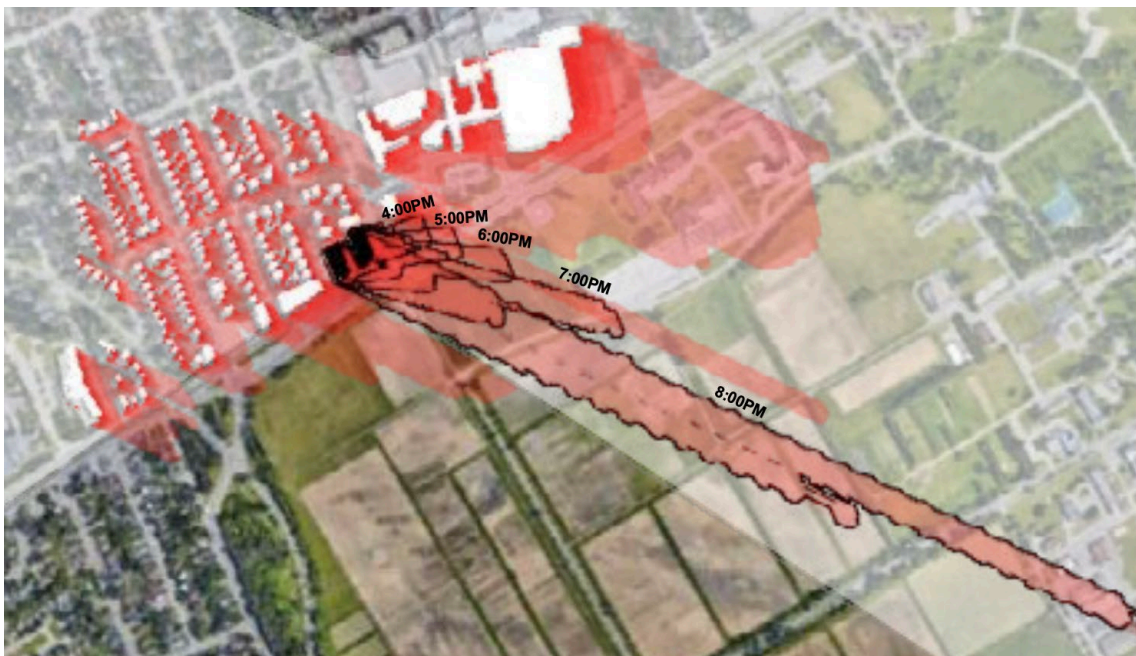
An appropriate transition to the east tower in terms accomplished by distance is, by today's standards, arguably in place. The challenge is that despite the generous distance that tower just rises up without break to a height that doesn't meet an angular plane. On balance, I'm comfortable that if the Official Plan test is that there be an appropriate transition accomplished by various means that this is demonstrable in this proposal. Few people really like height, but it is set back to a degree that Council has

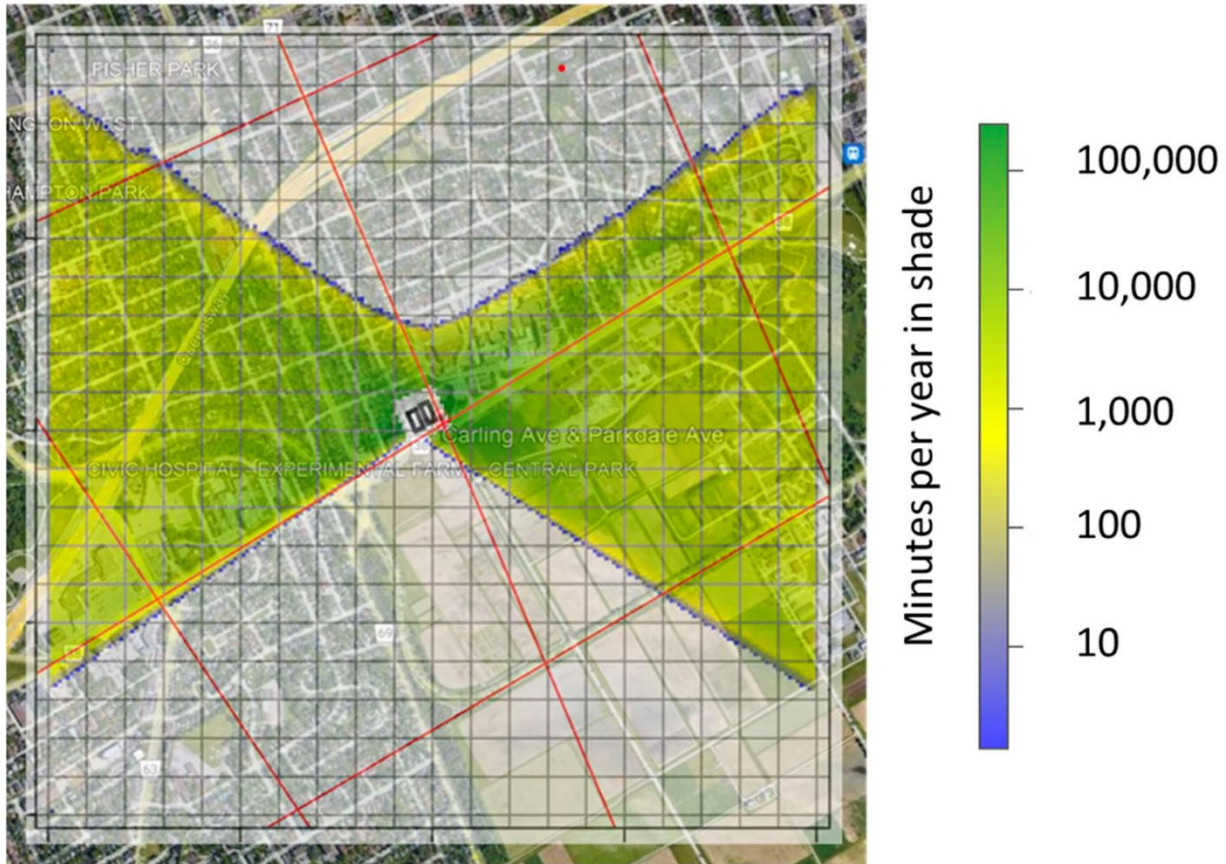
not demanded of developments abutting other neighbourhoods on arterial roads, and I do not believe that the Tribunal – if this was refused and appealed – would require more either.

Experimental Farm

There is a second consideration in this proposal that should give councillors pause before we approve the sought-after re-zoning: the development's impact on the adjacent farm and the research that is occurring there. Agriculture Canada has expressed concern that the shadows cast by this building will compromise experiments in some fields and rob the large greenhouses there of passive heat that will increase their bills.

I've spent some significant time speaking with the scientists and they have a real concern. Below, I've pasted a screen shot of the shadow study provided by the developer to show that in the later evening, a long shadow will move across several fields in which there is an ongoing experiment testing approaches to assisting bacteria to better help soybean plants fix nitrogen in sandier, dryer soils. I have also pasted a screen shot showing modeling by Agriculture Canada demonstrating the reduced minutes of sunlight (including red spectrum light that is particularly important to the process of photosynthesis and that is more abundant when the sun is at a more oblique angle later in the day: it is helpful to know that there are 260,000 minutes of sunlight in an Ottawa growing season, not accounting for cloudy days).





The concerns are legitimate. As I understand the issue, plantings are not uniform throughout the fields in question: different varieties are planted within discrete small plots. If the sun moves across a field in a way that results in different levels of spectrum across varieties, it will be challenging to isolate the variables in determining which varieties are best achieving the desired scientific outcomes.

Bluntly, I believe that bigger concern being expressed is the future of the Farm. If the different levels of light can't be accounted for through a regression analysis, the fields here are not at least so unique as to eliminate the potential to do the same research elsewhere. But as has been expressed to me, if the Farm's research potential is nibbled away at how long will it be before its utility as a living lab is gone? When that day comes would the Farm simply be sold off for development? These are not wild-eyed questions. They are though, I believe, premature: even if the Taggart proposal is allowed to proceed it's by no means inevitable that it will result in loss of the Farm.

I also, at the time writing, don't have a good understanding of whether restraining the buildings along Carling to 15 storeys, or even 9, would make much of a difference. By 8 pm the sun is at a very oblique angle to the field. At some point there is a fundamental tension between the City's plans for intensification to accommodate growth that focus specifically on arterial roads like Carling that will eventually have rapid transit, and the effect on the Farm. Radically constraining growth on Carling versus what is contemplated to accomplish larger sustainability goals raises thorny issues with which the City, development community and Agriculture Canada will need to grapple.

Technically and within the parameters of how the Ontario Land Tribunal would view this case, the effect of shadowing the Farm is likely a non-starter, especially compared to the legally more interesting question of transition that this development poses. Our Official Plan contemplates no special protection from taller towers on Carling and it is not obvious that in the context of twin climate and housing emergencies that it should. It's a question, I believe, not for the OLT but for the City and Council as we move ahead with our new comprehensive zoning by-law as we look at buildings a few hundred metres east and west of this proposal, including the future of the existing Civic Hospital campus.

None of my reasoning above will be satisfactory to those members of the community opposed to these towers. As is the case with every controversial development we have heard the concerns about increased traffic and the changed character of the neighbourhood. Low-rise homes in the area north and west will be sometimes shadowed that aren't currently shadowed. There is a discussion to come about how traffic in and out of the building will be handled. There are legitimate questions about the utility of the proposed parkland dedication. I agree that these are issues about which residents naturally feel discomfort. Ultimately, though, there's little question that in this location this is the type of development that our Official Plan contemplates.

After months of back-and-forth, the developer considers that they are on solid ground with respect to the planning grounds they have argued in favour of the sought-after re-zoning. The outstanding question is whether they and the City are right in interpreting the Official Plan requirements for transition, or whether residents are. If this re-zoning is approved by Council there are two scenarios. The first would see the community very legitimately challenge it at the Ontario Land Tribunal. Clarity would follow. The second is that the re-zoning would go unchallenged, which is also a form of clarity. If the latter path is embarked upon then planners and Council will be asked to determine on a case-by-case basis whether proposed transitions are adequate. We will need to get ahead of that work in the course of ongoing efforts to update zoning in the city to reflect the new Official Plan.

I will ask my colleagues to vote their conscience.

Update - July 13

On Tuesday late day, I was sent a copy of the Ontario Land Tribunal decision in the case of a tower Council refused at the corner of Blair and Montreal Road a little before the last municipal election. I am attaching that decision to this post (click on the icon at the end). My preliminary support for the proposal at 1081 Carling rests in significant part on my disagreement with the Civic Hospital Neighbourhood Association that a 45-degree "angular plane" must be achieved in order for a development to conform to the Official Plan - a question that when I was writing this a few days ago was untested. I believe that the Tribunal's reasoning in overturning our Blair/Montreal refusal is directly pertinent to the 1081 Carling proposal. The Tribunal found that a development can achieve an appropriate transition with a variety of potential approaches, of which the angular plane might be one. In my original post below, I set out why I believe the

appropriate transition has been achieved (after changes from the original). The "clarity" to which I refer below has, I believe, been provided.

[OLT-22-003966-JUL-11-2023.pdf](#)"