

**Subject: Zoning By-law Amendment – 230 and 232 Lisgar Street**

**File Number: ACS2023-PRE-PS-0113**

**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: Somerset (14)**

**Objet : Modification du Règlement de zonage – 230 et 232, rue Lisgar**

**Dossier : ACS2023-PRE-PS-0113**

**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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**Quartier: Somerset (14)**

## **REPORT RECOMMENDATIONS**

- 1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 230 and 232 Lisgar Street, as shown in Document 1, to permit a nine-storey apartment building 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 d’approuver une modification au Règlement de zonage 2008-250 visant les 230 et 232, rue Lisgar, des biens-fonds illustrés dans le document 1, en vue de permettre la construction d’un immeuble résidentiel de neuf étages, comme l’expose en détail le document 2.**
  
- 2. Que le Comité de la planification et du logement donne son approbation afin que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux “exigences d’explication” aux termes de la Loi sur l’aménagement du territoire, à la réunion du Conseil municipal prévue le 27 septembre 2023 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision**

## **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**

230 and 232 Lisgar Street

### **Owner**

Albert Falsetto, 230 Lisgar Street Inc.

**Applicant**

Jillian Simpson, FOTENN Consultants Inc.

**Architect**

Ryan Koolwine, Project 1 Studio Inc.

**Description of site and surroundings**

The subject site is located along the south side of Lisgar Street, between O'Connor Street and Metcalfe Street, within the Centretown neighbourhood. It is comprised of two parcels, 230 and 232 Lisgar Street, which have a total combined area of 691.6 square metres, lot depth of 34.34 metres, and 20.1 metres of frontage along Lisgar Street. The site is currently occupied by two low-rise residential buildings. Surrounding uses include a two-story building occupied by a chiropractor office and a 12-storey high-rise apartment building to the north; an eight-storey apartment building and associated parking lot to the east; a mix of low- and mid-rise apartment buildings to the south; and two three-storey mixed use buildings to the west.

The subject properties are both designated under Part V of the *Ontario Heritage Act* as part of the Centretown Heritage Conservation District (HCD). The properties are classified as contributing properties within the HCD Plan.

**Summary of proposed development**

The proposed development includes the construction of a nine-storey residential apartment building containing a total of 49 units. The proposed unit mix includes 37 one-bedroom units and 12 two-bedroom units.

A total of 26 vehicular parking spaces, including 22 resident spaces and 4 visitor spaces, are proposed within an underground parking garage. The parking garage is accessed from Lisgar Street using a car elevator. A total of 43 bicycle parking spaces are provided on site; 42 of these spaces are located internally, and one space is located outside the building in close proximity to the main entrance.

A site plan control application (File No. D07-12-22-0166) is being reviewed concurrently with the subject Zoning By-law Amendment. A Heritage Permit application to permit the demolition of the existing structures has also been submitted to Heritage staff. The associated report will be considered by Built Heritage Committee on September 12, 2023.

## Summary of requested Zoning By-law amendment

The subject site is currently zoned R4UD[479] (Residential Fourth Density, Subzone UD, Urban Exception 479), and subject to the Mature Neighbourhoods Overlay and Heritage Overlay. The zoning by-law amendment is requested to permit the development of a nine-storey residential apartment dwelling with a total of 49 units.

The proposed zoning by-law amendment seeks to:

1. Rezone the subject site to “R5B[XXXX] H(30)” (Residential Fifth Density, Subzone B, Urban Exception XXXX, maximum height of 30 metres).
2. Urban Exception XXXX includes provisions addressing the following:
  - a. Permit a minimum lot width of 20.1 metres, whereas the Zoning By-law requires 22.5 metres.
  - b. Permit a minimum front yard setback of 2.0 metres, whereas the Zoning By-law requires 3.0 metres.
  - c. Permit a minimum interior side yard setback of 1.5 metres, whereas the Zoning By-law requires 7.5 metres when abutting an R4 zone.
  - d. Permit amenity area for mid-rise apartment building in the required front yard, whereas the Zoning By-law currently prohibits it.
  - e. Section 60 (Heritage Overlay) provisions do not apply.

## DISCUSSION

### Public consultation

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

Six comments were received during the application review process, which generally concerned construction impacts to nearby properties, parking, and shadowing.

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

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

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

### Central and East Downtown Core Secondary Plan

The [Central and East Downtown Core Secondary Plan](#) provides the strategic planning direction to guide future development and redevelopment within the Central and East Downtown Core. The subject site is located within the Centretown Character Area (Schedule A – Character Areas) and is designated as “Local Neighbourhood” (Schedule B – Designation Plan). The maximum building height for the site is identified as 21 storeys (Schedule C – Maximum Building Heights).

### 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 mid-rise buildings to ensure Ottawa meets its intensification targets while considering liveability for all.

### Section 5.1 – Downtown Core Transect

This section provides direction for new development within Downtown Core Hubs.

## **Other applicable policies and guidelines**

Centertown Community Design Plan (2013)

The [Centretown Community Design Plan](#) (CDP) provides direction for managing growth and change in the Centretown neighbourhood. The subject site is located within the Northern Character Area and identified as “Apartment Neighbourhood” on the proposed Land Use Plan (Schedule H). The maximum building heights identified for the subject site in the CDP is 21 storeys (Maximum Height Considerations).

## **Heritage**

The subject site is designated under Part V of the *Ontario Heritage Act* as part of the Centretown Heritage Conservation District (HCD). The properties contribute to the heritage character of the district and are identified as “character-supporting resources” in the HCD Plan.

A Heritage Permit application has been submitted to permit the demolition of the two existing structures on site.

## **Urban Design Review Panel**

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

The formal review meeting for the Zoning By-Law Amendment and Site Plan Control application was held on March 31, 2023.

The panel's recommendations from the formal review of the Zoning By-law Amendment application and Site Plan Control application can be found in Document 5 of this report.

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

- A drive aisle with a length of 5.8 metres has been provided to ensure that there is no encroachment of idling vehicles onto the pedestrian sidewalk, thus always maintain unimpeded access for pedestrians.
- Landscape design along Lisgar Street revised to utilize subtler features to achieve an urban garden aesthetic.
- “Front porch” area enlarged to strengthen its role as a communal and social interaction space. Separate access also established to the rear year amenity space to ensure that the front patio serves as more than just a passageway.

- Edge treatment along Lisgar Street improved through the utilization of low-profile architectural fence, rather than front-yard planters.

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

- Shifting of the building and/or drive aisle width and increased glazing on the building's east side. Applicant determined that shifting the building did not serve the project's best interests.
- Green roof was not incorporated into the design of the building. Applicant determined that it was not the optimal choice to increase sustainability of this project. Instead, built-in planters have been incorporated on stepback terraces to increase vegetation, and light-coloured roof finish to be used to reduce the heat island effect.
- Darker black fragments in façade treatment not removed in favour of an all-red brick façade treatment. Applicant maintains that the darker brick elements provide support the project's aesthetic and functional goals by providing a transition between the vertical expression at the front and the horizontal expression at the back, as well as accentuates the two-storey rhythm at the rear.

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 Site Plan Control application.

### **Planning rationale**

The subject site is designated as "Hub", subject to the Evolving Neighbourhoods Overlay, on Schedule B1 – Downtown Core Transect, in the Official Plan, which permits compact, higher-density residential development to support a full range of services and contribute to the creation of the critical mass essential to making transit viable. The site is also subject to the Central and East Downtown Secondary Plan; it is designated as 'Local Neighbourhood', located within the North Centretown Character Area, and is identified for maximum building heights of 21 storeys. The Local Neighbourhood designation is intended to be primarily residential. Staff have no concerns with the proposed mid-rise building, as the site is located within an area identified for intensification in both the Official Plan and Secondary Plan. Further, it is noted that the subject site is subject to policies that permit significantly more density and height on the site, however, it has been determined that the size of the site is not sufficiently sized to support a high-rise tower. The site is not large enough to allow for appropriate tower

setbacks to neighbouring properties. As such the building heights have been limited to a maximum of 30 metres (nine storeys).

As detailed in Document 2, the proposed Zoning By-law Amendment has the effect of rezoning the site to include site specific exceptions. The following summarized the site-specific zoning provisions and associated planning rationale:

- "Apartment dwelling, high-rise" is a prohibited use. This provision has been included to ensure that the proposed development does not exceed a mid-rise built form within the 30-metre height limit being established through this zoning by-law amendment.
- Reduce the minimum required lot width to 20.1 metres, whereas the Zoning By-law requires 22.5 metres. Staff have no concerns as the reduction is considered a minor change, and interior side yard setbacks are being established through this zoning by-law amendment that are appropriate for the context of the site, given the surrounding area's tight lot fabric.
- Reduce the minimum front yard setback to 2.0 metres, whereas the Zoning By-law requires 3.0m. Staff have no concerns as the proposed front yard setback provides an appropriate transition to the public realm along Lisgar Street and is consistent with established front yard setbacks along the street.
- Establish a minimum interior side yard setback of 1.5 metres, whereas the Zoning By-law requires 7.5 metres when abutting an R4 zone; the subject site is flanked by lands zoned R4UD[479] on both sides. It is noted that the Centretown Community Design Plan generally calls for a minimum interior side yard setback of 2.5-3 metres where a mid-rise building abuts a heritage building, and that the property directly abutting the western property line (234 Lisgar Street) is designated under Part V of the *Ontario Heritage Act*. However, staff have no concerns with the proposed interior side yard setback as it represents an increase to the existing condition on the site which currently varies from 0.41 to 0.67 metres. Further, the existing building located at 234 Lisgar Street is setback 2.7 metres from the western property line towards the front of the site, with a larger setback at the rear of the site. Staff also have no concerns with the proposed 1.5 metre setback along the eastern property line as it abuts a surface parking lot associated with the existing apartment building on the property (196 Metcalfe Street).
- Permit amenity area for mid-rise apartment building in the required front yard, whereas the Zoning By-law currently prohibits required amenity area within the front yard. Staff have no concerns as Section 3.1(1) of the applicable Secondary



directs that development in the Central and East Downtown Core will contribute to an active street life and pedestrian convenience through its design, function and activity, including through the utilization of usable indoor and/or outdoor amenity areas where possible (e.g., patios, porches). The proposed patio located along Lisgar Street, and located within the required front yard setback, contributes to achieving the intention of the above-noted policies by encouraging people to linger in or within view of the public realm promoting street level animation and social interaction.

- Heritage Overlay Provisions (Section 60 of the Zoning By-law) do not apply. The proposed development will not comply with the heritage overlay provisions requiring that removed or destroyed buildings must be rebuilt with the same character and at the same scale, massing, volume, floor area and in the same location as existed prior to its removal or destruction. The proposed development deviates from the building form of the two existing dwellings. Staff have no concerns as the scale and massing of the proposed mid-rise building has been designed to be respectful of the existing character of the area. Further, the application has been reviewed by heritage staff and there are no concerns with the proposed development from a heritage perspective.

### **Provincial Policy Statement**

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

### **RURAL IMPLICATIONS**

There are no rural implications associated with the report.

### **COMMENTS BY THE WARD COUNCILLOR(S)**

Councillor Ariel Troster has provided the following comments:

“This is a handsome building, and I appreciate the applicant’s commitment to excellence in design. However, this proposal is yet another one in Centretown that proposes studios, 1-bedrooms, and 2-bedrooms while replacing larger, multi-bedroom units at a relatively affordable rate – while one application is not at fault, the overall trend is concerning given the needs we hear voiced every day in our community. As well, given the central location, I am puzzled by the applicant’s commitment to parking, including the parking elevator at significant additional cost.”

### **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 associated with the report.

## **ASSET MANAGEMENT IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

## **ACCESSIBILITY IMPACTS**

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

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Has affordable housing and is more liveable for all.
- Is more connected with reliable, safe and accessible mobility options.

## **APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D02-02-22-0116) 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 design.

## **SUPPORTING DOCUMENTATION**

Document 1 Zoning Key Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Conceptual Development Plan

Document 5 Urban Design Review Panel Recommendations

**CONCLUSION**

The Planning, Real Estate and Economic Development Department supports the application and proposed Zoning By-law Amendments. The proposed development allows for the intensification on the site in a manner that is sensitive to the character of the area and contributes to the evolving public realm on Lisgar Street. Further, the requested amendments are consistent with the Official Plan and the Provincial Policy Statement. The development represents good planning.

**DISPOSITION**

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

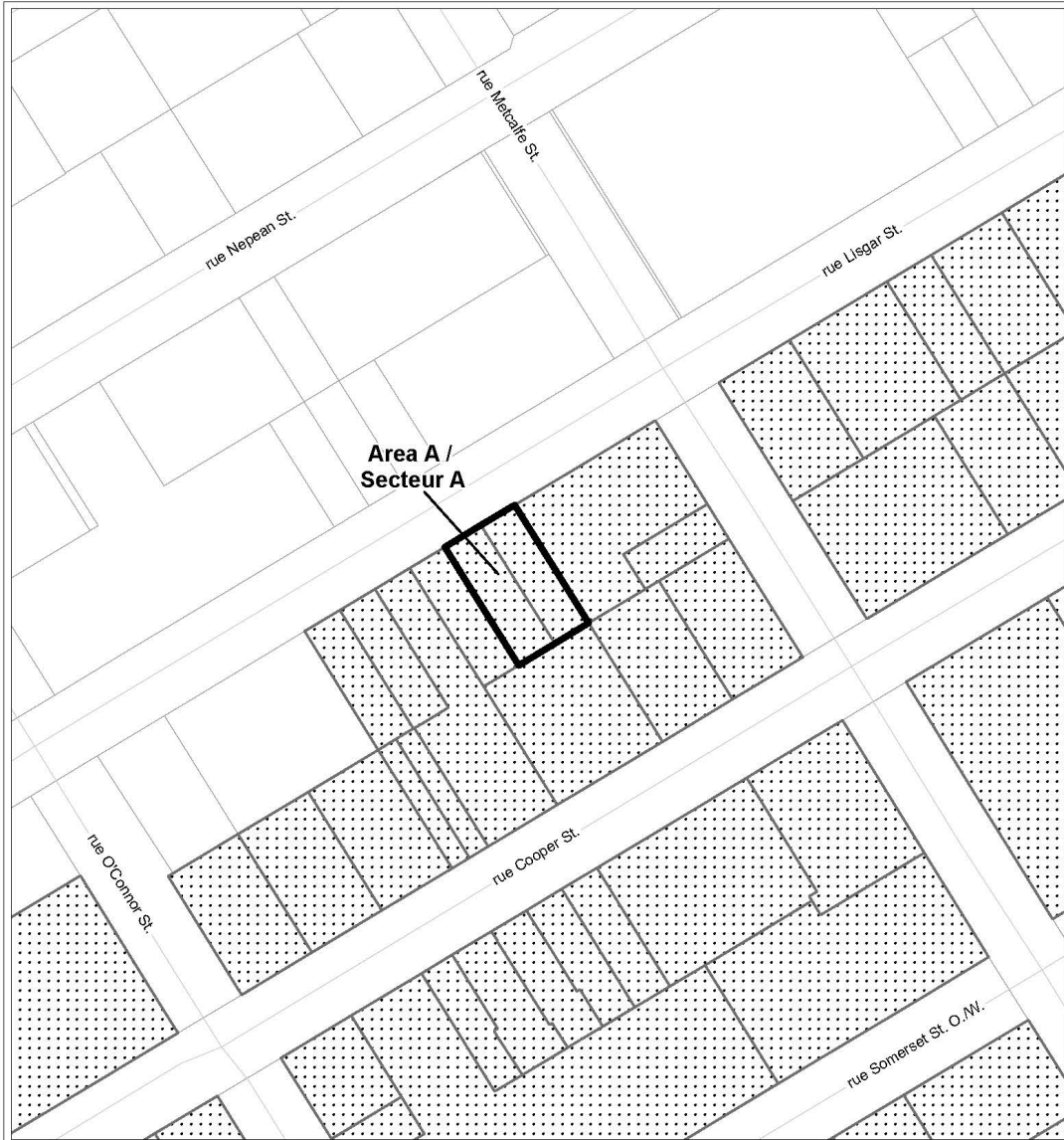
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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](http://geoOttawa)



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE SITE PLAN / PLAN DE EMPLACEMENT	
D02-02-22-0116	23-0694-D	<b>230, 232 rue Lisgar Street</b>	
I:\CO\2022\Zoning\Lisgar_230_232_V2		 Area A to be rezoned from R4UD[479] to R5B[XXXX] H(30). Le zonage du secteur A sera modifié de R4UD[479] à R5B[XXXX] H(30)	
<small>©Parcel data is owned by Terranet Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.</small>		 Heritage (Section 60) Patrimoine (Article 60)	
<small>©Les données de parcelles appartiennent à Terranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE</small>		Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) / Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)	
REVISION / RÉVISION - 2023 / 07 / 24			

## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 230 and 232 Lisgar Street:

1. Rezone the lands as shown in Document 1.
2. 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 “R5B[XXXX] H(30)”.
  - b. In Column IV, Exception Provisions - Land Uses Prohibited, add the text: “Apartment dwelling, high-rise”.
  - c. In Column V, Provisions, add the text:
    - The following provisions apply to ‘Apartment dwelling, mid-rise’:
      - i. Minimum lot width: 20.1 metres
      - ii. Minimum front yard setback: 2 metres
      - iii. Minimum interior side yard setback: 1.5 metres
      - iv. Despite Section 137(3), amenity area may be located within the required front yard.
      - v. Section 60 (Heritage Overlay) does not apply.

### **Document 3 – 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.

#### Public Comments and Responses

##### Comment:

Concerns with impacts of construction impacts (noise, construction vehicles, lane blockages, availability of street parking, etc.).

##### Response

Mitigation measures to be explored further through the associated Site Plan Control application (File No. D07-12-22-0166). A construction traffic management plan may be required depending on the proposed construction approach.

Further, the applicant is required to obtain building permit(s) prior to any construction activity occurring. All construction shall be carried out in accordance with applicable City of Ottawa by-laws, such as the Noise By-law.

##### Comment:

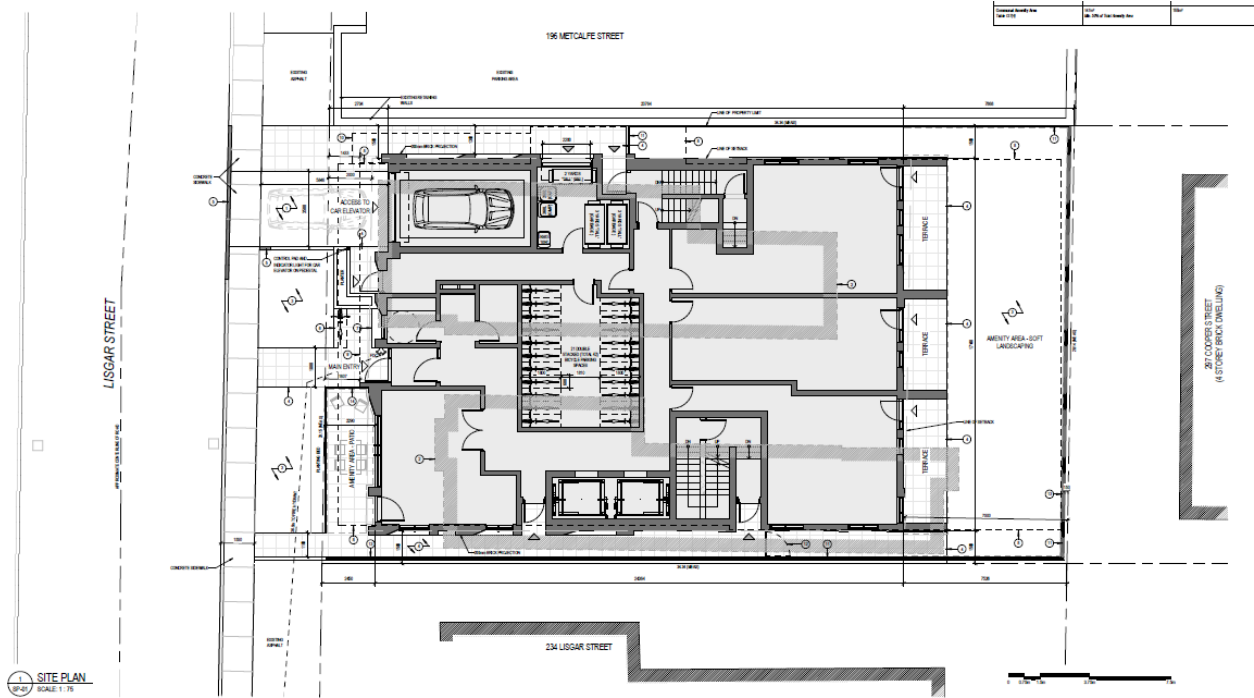
Concerns about future residents regularly parking on the street and limiting the number of spaces that are available for use by patrons of businesses located on Lisgar Street/within the surrounding neighbourhood.

##### Response:

Staff have no concerns as the proposed development includes more than the minimum parking requirement. A total of 26 vehicular parking spaces are provided, whereas the Zoning By-law requires 23 spaces.

# Document 4 – Conceptual Development Plan

## Site Plan



View of North Façade from Lisgar Street



## Document 5 – Urban Design Review Panel Recommendations

[230-232 LISGAR ST. | Formal Review | Site Plan Control & Zoning By-law Amendment Application | Albert Falsetto, Fotenn Planning + Design, Project1 Studio Inc.](#)

### Key Recommendations

- The Panel strongly supports the architectural expression, details, and rationale of the building.
- The Panel recommends a limiting distance agreement (LDA) should be considered to remediate limitations to the amount of glazing permitted on the sides of the building.
- The Panel recommends the applicant ensure that pedestrians on the sidewalk will not be blocked by cars waiting for the car elevator.
- The Panel recommends the focus of the building should be to demonstrate an exemplary 'missing-middle' project.
- The Panel recommends considering an effective urban garden landscape to enhance the quality of the streetscape along Lisgar Street.
- The Panel recommends further developing the activation of Lisgar Street through mechanisms such as the enhancement of the 'front-porch' rationale.

### Site Design and Public Realm

- The Panel recommends considering a limiting distance agreement (LDA) to allow for the shifting of the building or drive aisle width and to increase the amount of glazing permitted on the east side of the building.
- The Panel appreciates the car elevator idea but advises the applicant to consider the realities of queuing for its use and its functionality in terms of service, cost, and effect on the public realm.
  - The Panel recommends the applicant ensure that there will be enough space between the car park/driveway and pedestrian sidewalk for a car to idle while waiting for the car elevator.
- The Panel believes this project can be an exemplar for mid-rise buildings with added attention to detail on the streetscape and public realm.
  - The Panel would like to see more of a vision for the streetscape along Lisgar Street and recommends increasing the number of street trees and landscaping the streetscape as an urban garden edge.
- The Panel suggests the tight spacing of the front-yard planters cause a challenge for the site and recommends a less imposing edge treatment to alleviate the tight feeling of the space (e.g. benches or a lower profile planter).



- The Panel recommends considering climbing vegetation as a suitable solution to increase vegetation on the site and soften the appearance of the private fencing.

#### Sustainability

- The Panel recommends further developing the sustainability measures of the building.
  - The Panel suggests the applicant consider demonstrating sustainable mid-rise intensification measures including a green-roof, urban ecological measures, etc. to achieve greater sustainability.

#### Built Form and Architecture

- The Panel appreciates the well thought out details and commendable effort put into the design. The result is a building which functions both as a background building, as well as a building which stands out. A difficult balance to achieve.
- The Panel strongly advises it is essential that all the geometries and details in the building design be maintained in the final building construction—and not be value engineered.
- The Panel supports the way the base of the building responds well to the adjacent properties and other properties on the street.
- The Panel appreciates the terrace setbacks and the nesting idea at the top of the building.
- The Panel recommends an all-red brick façade treatment, as the darker black fragments of the building may be unnecessary.