

Subject: Zoning By-law Amendment – 110 York Street and 137 George Street

File Number: ACS2023-PRE-PS-0130

Report to Planning and Housing Committee on 15 November 2023

and Council 22 November 2023

**Submitted on November 3, 2023 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

Contact Person: Erin O’Connell, Planner III, Development Review Central

613-580-2424 ext.27967, Erin.O’Connell@ottawa.ca

Ward: Rideau-Vanier (12)

**Objet: Modification du Règlement de zonage – 110, rue York et 137, rue
George**

Dossier: ACS2023-PRE-PS-0130

Rapport au Comité de la planification et du logement

le 15 novembre 2023

et au Conseil le 22 novembre 2023

**Soumis le 3 novembre 2023 par Derrick Moodie, Directeur, Services de la
planification, Direction générale de la planification, des biens immobiliers et du
développement économique**

**Personne ressource: Erin O’Connell, Urbaniste III, Examen des demandes
d’aménagement centrale**

613-580-2424 ext.27967, Erin.O’Connell@ottawa.ca

Quartier: Rideau-Vanier (12)

REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 110 York Street and 137 George Street as shown in Document 1, to permit a 16-storey hotel addition, as detailed in Documents 2, 3, and 4.
2. That Planning Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* 'Explanation Requirements' at the City Council Meeting of November 22, 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 110, rue York et 137, rue George comme l'indique la pièce 1, pour permettre l'ajout d'un hôtel de 16 étages, comme indiqué dans les documents 2, 3 et 4.
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 22 novembre 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

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

110 York Street and 137 George Street

Owner

Claridge Homes

Applicant

FoTenn Consultants

Architect

Neuf Architect(e)s

Description of site and surroundings

The subject site abuts York Street to the north, with the Andaz Hotel and Dalhousie Street to the west, a vacant site and George Street to the south, and a parking lot adjacent to the east. The surrounding area includes low-rise commercial uses, high-rise, and mixed-use buildings.

Summary of proposed development

The proposed development is an addition to the existing Andaz hotel located to the west. It would replace the site of an existing two-storey building and an interior parking courtyard previously approved as part of adjacent development. The addition will include 106 hotel units and a street-facing great room/ballroom. The tower portion of the addition is proposed to be setback 9 metres from the podium where it abuts York Street. The parking for the proposed addition is to be underground and within the same structure as the previously approved building at 137 George Street, which has not yet been constructed. Access for underground parking would be from George Street, while loading and garbage access will be from Dalhousie Street.

The portion of the site on 137 George Street has previously gone through a Zoning By-law Amendment in 2014 to permit a 22-storey apartment building, and current zoning permits heights of 70 metres across the entirety of the property at 137 George Street. Staff are recommending reducing height permissions on a portion of 137 George Street in order to better reflect the location of the 22-storey apartment building and the Andaz addition.

A Site Plan Control Application will be required in order to proceed with the anticipated hotel addition.

The proposed development is located within the ByWard Market Heritage Conservation District, and as such, a related report for demolition and construction proceeded to Built Heritage Committee on November 6th, 2023.

Summary of requested Zoning By-law amendment

The fronting portion of the property is currently zoned 'Mixed-Use Downtown, Subzone 2, Schedule 74' (MD2 S74). The remainder of the site is zoned 'Mixed-Use Downtown, Subzone 2, Exception 2031, Schedule 307 (MD2 [2031] S307), pursuant to Zoning By-law 2008-250. The zoning amendment is requesting relief from the heritage overlay, and the implementation of a height schedule to reflect the proposed development.

The proposed zoning would remain Mixed-Use Downtown, Subzone 2, with an exception and a height schedule. This zoning would implement a new height schedule based on the current proposal, modify the extent of the previous height schedule for 137 George Street, and include an exception. In general, amendments to current zoning are to:

- Increase maximum permitted height from 33 metres to 52 metres on part of the site as per Document 3
- Decrease the extent of maximum permitted building height of 70 metres on another part of the site as per Schedule 307 in Document 4
- Permit a hotel lobby on the ground floor of the hotel addition, where the by-law requires only certain uses with 3 metres of the ground floor fronting on a street
- Reduce the minimum loading space requirement from 3.5 metres to 3.3 metres and permit loading space to be located at grade
- Permit parking and access to be located on adjacent properties
- Provide relief from the Heritage Overlay (Section 60)

DISCUSSION

Public consultation

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. Five submissions were received in opposition to the proposed development, seven asking questions or to be kept notified, and three in support.

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

Official Plan designations

The property is identified in the Official Plan as part of the Downtown Core Transect, and in the ByWard Market Special District. The Downtown Core Transect (5.1.1) speaks to being the hub of the National Capital Region, locating tallest buildings and greatest densities, and maintaining an urban pattern of built form. Special Districts (6.6) are important and define the image of the city through cultural heritage value, roles as tourism attractions and major economic generators. The ByWard Market Special District recognizes that different parts of the ByWard Market will have different functions (6.6.2.3.2) and that the area where this site is located is intended for a higher density of development and buildings mainly focused on residential but welcoming mixed-land use with active frontages at the street level. Heritage considerations have been noted through the report to Built Heritage Sub Committee.

Generally relevant policies of the Official Plan speak to support for tourism sector and economic development (2.2.2), support the growth of important economic generators through special district policies (2.2.2.7), consideration for transition between high-rise buildings and others (4.6.6.3), and for privacy, light, and sky views (4.6.6.9). 5.1.1 (6) speaks to urban development forms with little or no parking and access from a common driveway.

Other applicable policies and guidelines

Applicable [Urban Design Guidelines for High-rise Housing](#) include respecting existing and planned views through placement of building and height transitions (1.9), relating height and scale to context (1.11), respecting character of adjacent heritage buildings, particularly at the base of the building (1.23), providing continuous building edges along streets with consideration of base massing (2.13), (2.16), (2.17), providing a transition in height on the base (2.19), animating the ground floor of the base (2.23), including small tower floor plates (2.24), separation between towers (2.26), stepbacks for towers (2.29), and including a fenestration pattern, colour and texture that complements the surrounding context (2.32). With respect to parking and access, the Guidelines speak to locating parking underground, internalizing loading, and co-locating access to parking (3.14), (3.16), (3.18).

Heritage

Because the addition is located in the ByWard Market Heritage Conservation District, a report is proceeding to Built Heritage Committee with detailed staff recommendation to approve the demolition and new construction. Staff are supportive as the existing building is non-contributing and due to the proposed building's massing, siting, and materials. As such, the removal of the heritage overlay is appropriate.

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](#), which was open to the public.

The formal review meeting for the Zoning By-Law Amendment application was held on June 7, 2018.

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

- Increased separation distance between the addition and approved high-rise building to the south at 137 George Street
- Reduced footprint of tower portion of addition
- Increased the height of the base ballroom where it abuts York Street

Certain recommendations of the panel were not able to be met:

- The panel felt that the addition of towers to the heritage district is inappropriate. Staff feel that revisions to the proposal and resulting massing, siting, and materials deem it an appropriate addition to the area.

Planning rationale

The intention of the MD zone is to support the Central Area as a central place for employment and shopping, ensure the ByWard Market retains its distinct character, facilitate more intense, compatible and complementary development, and protect visual integrity of the Parliament buildings.

The proposed development is an expansion of an existing hotel use, which will support Official Plan policies and MD intentions related to the tourism sector and economic development. The consideration of placement of the addition, characteristics, and

transition is paramount to this recommendation proceeding. The following attributes of the proposed addition are consistent with the policy direction found in the Official Plan, Zoning intent, and Urban Design Guidelines:

- The addition (16 storeys) is lower than the existing Andaz building (17 storeys) and adjacent building to the south at 137 George Street (22 storeys)
- A two-storey base fronts onto York Street with animation through use as a ballroom
- A 9 metre setback of the high-rise portion from the base
- The footprint of the high-rise portion of the addition is 367 square metres
- There is an appropriate connection to existing hotel for the high-rise portion with inclusion of insets and windows
- There is a 15 metre separation between the adjacent high-rise building to the rear and the high-rise portion of the addition
- There is a limited depth of high-rise portion of the addition with art component facing east as transitional measure in order to anticipate potential future development
- There is a use of materials such as red brick, aluminum panel detail and large windows, consistent with surrounding context
- Underground parking, internalized loading area, and co-locating parking with adjacent development at 137 George Street

Existing zoning on 137 George Street permits height of up to 70 metres. As the proposed Andaz addition includes part of the property at 137 George Street, Schedule 307 of the Zoning By-law is proposed to be modified to reduce its extent and instead replace it with the newly proposed height schedule. This will better reflect the proposed development.

The intention of the heritage overlay is to encourage the retention of heritage buildings and where a building is demolished, rebuild with same massing, volume and in same location. Because the addition is located in the ByWard Market Heritage Conservation District, a report is proceeding to Built Heritage Committee with staff recommendation to approve the demolition and new construction. Staff are supportive as the existing

building is a Category 4 building within the ByWard Market HCD and due to the proposed building's massing, siting, and materials. As such, exemption from the heritage overlay is appropriate.

Provincial Policy Statement

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

RURAL IMPLICATIONS

There are no rural implications as a result of this proposal.

COMMENTS BY THE WARD COUNCILLOR(S)

The Councillor is aware of the application related to this report.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with the recommendations in this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

The new building addition will be required to meet the accessibility criteria contained within the Ontario Building Code. The Accessibility for Ontarians with Disabilities Act requirements for site design will also apply and will be reviewed through future development applications.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- A city with a diversified and prosperous economy, which includes a strategic objective to reimagine the ByWard Market through increased economic activity and tourism.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-18-0038) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to complexity of issues associated with building placement.

SUPPORTING DOCUMENTATION

Document 1 Zoning Key Map

Document 2 Details of Recommended Zoning

Document 3 Height Schedule

Document 4 Amended Height Schedule 307

Document 5 Proposed Site Plan

Document 6 Consultation Details

CONCLUSION

The proposed development has made several changes since initial submission in 2018. It is now in keeping with the direction found in the Official Plan, supportive of efforts in economic development in the ByWard Market Special District. The applicant has provided an addition to an existing hotel with appropriate setbacks and stepbacks, and compatible architectural treatments. In consideration of the applicable Official Plan policies and compatibility of the use in the area, the Zoning By-law Amendment is recommended for approval.

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.

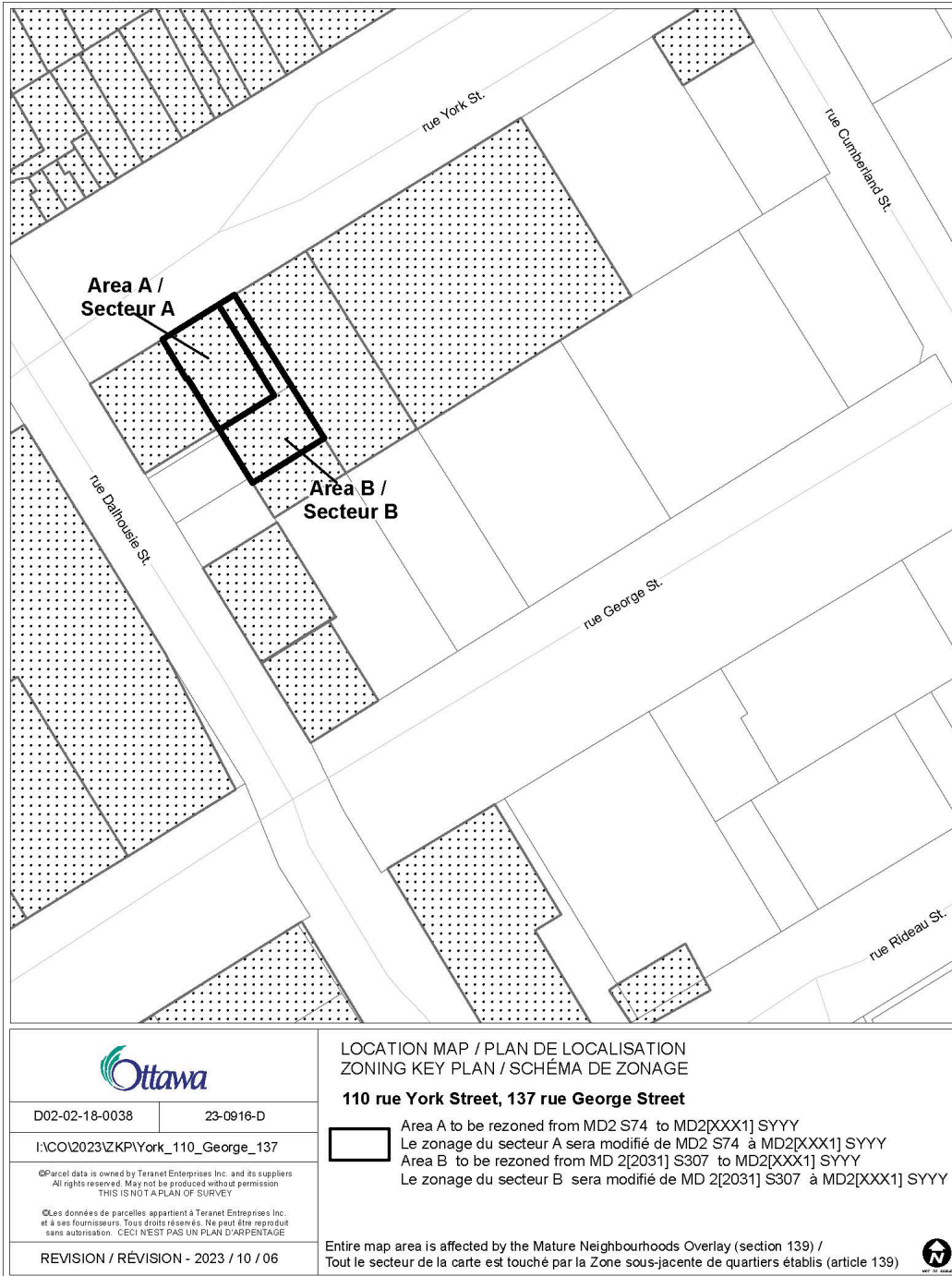
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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

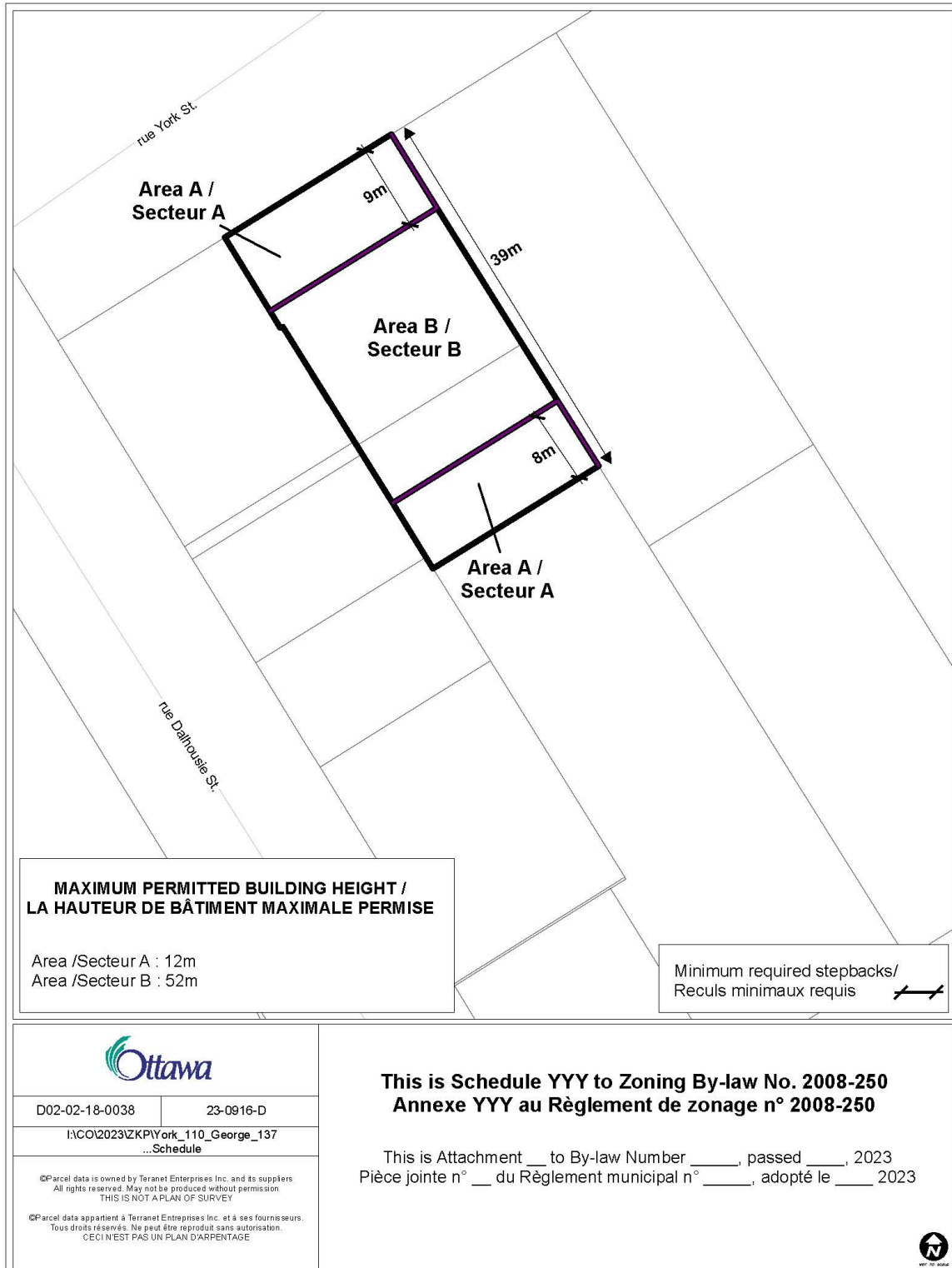


Document 2 – Details of Recommended Zoning

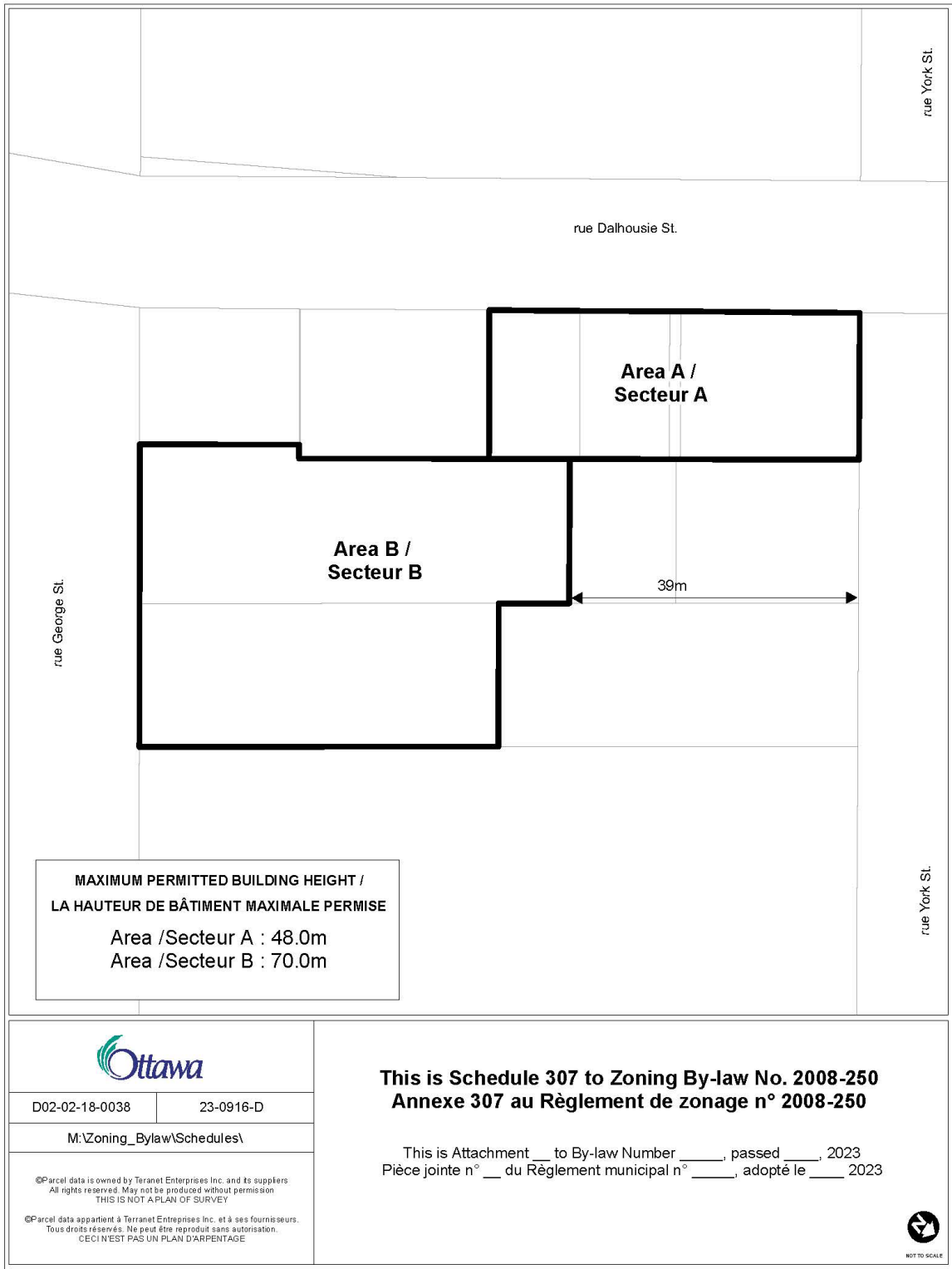
The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 110 York Street and 137 George Street:

1. Rezone the lands as shown in Document 1
2. Add a new exception [xxx1] to Section 239, Urban Exceptions, with provisions similar in effect to the following:
 - a) In Column I, Exception Number, add the text “[xxx1]”
 - b) In Column II, Applicable Zones, add the text “MD2 [xxx1] Syyy”
 - c) In Column V, Provisions, add the text:
 - i. The maximum building heights and minimum setbacks are indicated in Schedule yyy
 - ii. Mechanical and service equipment penthouse, elevator or stairwell penthouse, landscaped areas, roof-top gardens and terraces and associated safety guards and access structures are permitted to project above the height limits in Schedule yyy
 - iii. For the purposes of Section 194 (2) (a), a hotel lobby may be included in the calculation of ground floor frontage
 - iv. Minimum width of loading space is 3.3 metres
 - v. Section 193(6) does not apply
 - vi. Provision (j) of Table 193 does not apply
 - vii. Provided parking spaces, loading spaces, bicycle parking spaces and access on abutting properties may be counted towards the requirements on this lot
 - viii. Section 60 does not apply
3. Add Document 3 as new schedule YYY to Part 17, Schedules.
4. Replace schedule 307 in Part 17, Schedules with that shown in Document 4.

Document 3 – Height Schedule



Document 4 – Amended Height Schedule 307



D02-02-18-0038

23-0916-D

M:\Zoning_Bylaw\Schedules\

©Parcel data is owned by Teranet Enterprises Inc. and its suppliers
All rights reserved. May not be produced without permission
THIS IS NOT A PLAN OF SURVEY

©Parcel data appartient à Teranet Enterprises Inc. et à ses fournisseurs.
Tous droits réservés. Ne peut être reproduit sans autorisation.
CECI N'EST PAS UN PLAN D'ARPENTAGE

**This is Schedule 307 to Zoning By-law No. 2008-250
Annexe 307 au Règlement de zonage n° 2008-250**

This is Attachment ___ to By-law Number ____, passed ____, 2023
Pièce jointe n° __ du Règlement municipal n° ____, adopté le ____ 2023



NOT TO SCALE

Document 6 – 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. Five submissions were received in opposition to the proposed development, seven asking questions or to be kept notified, and three in support.

Public Comments and Responses

Comment:

Request to be notified and question about application details.

Response

Members of the public who had questions about application details and asked to be kept up to date were notified of this report to Planning and Housing Committee.

Comment:

Concerns about this proposal, but not specific.

Response:

See report rationale above.

Comment:

Parking entrance should not be on George or Dalhousie as there is too much traffic there. Access should be from York Street.

Response:

Policy in the Official plan support consolidating access where possible. Using existing accesses on George and Dalhousie will reduce impacts of garage and access breaking up street frontage on York Street.

Comment:

Addition should be housing, not hotel units. Lack justification that this is enough hotel rooms and ballroom is of sufficient size.

Response:

Hotels are a permitted land use on the site currently. Staff do not have the ability to require one land use over another when the proposed use is permitted, or require a larger number of hotel units or particular elements.

Comment:

Lack of creative design and character.

Response:

The proposed design has been reviewed by the Urban Design Review Panel and revisions made as described in the report. Staff are comfortable that materials proposed are compatible with the surrounding area.

Comment:

Concern for views being blocked.

Response:

View protection exists in Ottawa only with relation to particular views of Parliament Hill, which are not impacted by this proposed development.

Comment:

Concern that this will decrease property values.

Response:

Property values are outside of consideration of staff through a zoning by-law amendment.

Comment:

Concern over lack of consultation.

Response:

The application has followed correct process for consultation and notification. The applicant is encouraged to consult with adjacent property owners.

Comment:

The proposed plan conflicts with that of 137 George Street.

Response:

The plans for both 110 York Street and 137 George Street have been revised over time to ensure coordination.

Comment:

The building is too close to the eastern property line to respect appropriate separation distance for future development. Proposed separation distances do not respect the Urban Design Guidelines for High-rise Buildings.

Response:

The proposed high-rise portion of the addition is a small footprint of 367 metres with a depth of 20 metres adjacent to the eastern property line. The intention of providing a blank wall with a mural is to not unduly burden the adjacent property to the east with window openings and to anticipate future redevelopment that may propose a similar approach, recognizing that each application is evaluated on its own merits. Part of the subject application has been to reduce the application of Schedule 307 to the Zoning By-law, which permitted a building of up to 70 metres in height to be located up to the property line, effectively reducing potential impact on part of the adjacent property.

The provisions for High-Rise Buildings in Section 77 of the Zoning By-law include minimum interior side and rear yard setbacks. However, as per By-law 2019-353, those provision are in not applicable for lands where a completed zoning by-law amendment was received before October 19, 2019. This subject application was received April 17, 2018, and so required separation distances do not apply. The Urban Design Guidelines for High-rise buildings recognize that new high-rise buildings will be proposed in different contexts, each with their own opportunities and challenges. The guidelines are general, and not to be used as a checklist for evaluating a proposal. While part of the addition is located up to the property line to the east, this approach has been balanced with minimal size, architectural treatment, placement, and Official Plan policy resulting in staff's recommendation.

Comment:

Concern with unexplained flight of professionals working with adjacent development and this one.

Response:

Staff cannot comment on employment agreements as part of private developments.

Comment:

Support for the proposal and it's positive impact to the ByWard Market.

Response:

Staff concur.

Community Organization Comments and Responses

The Lowertown Community Association (LCA) has serious objections to the proposed rezoning of the properties at 110 York Street and 137 George Street to permit this very large addition to the Andaz Hotel. Our concerns include its relationship to the already approved condo project on the adjacent property and its adverse impact on the Heritage Conservation District in which it is located.

The site plan for the condo building was approved at the same time as, and was based on, the original site plan for the hotel. Before any addition to the hotel is approved, a new site plan for the condo property must be developed. Among our concerns are:

Mass and Scale of the Proposed Addition – A building addition is typically an accessory to the main building and therefore, smaller and subordinate to the original.

The Lack of Separation between Towers – The separation distance between the hotel and the condo tower in the original plans was deemed acceptable because they were off-set on their respective properties. They will now be directly adjacent to each other and far too close together and are unlikely to meet the City's separation requirements.

Loss of Interior Courtyard – An internal courtyard accessed from Dalhousie Street was designed, among other things, to provide vehicle access and "pedestrian fluidity" between the hotel and the residential condo project. This courtyard will no longer exist and what would have been its entrance way will be a narrow service lane apparently to be used mainly for garbage removal.

View from the Heritage Conservation District – The OMB decision that approved the hotel and condo was highly critical of the impact of "the wall" effect of the two buildings when viewed from the ByWard Market. The OMB urged that this be remedied during the site plan control approval process. This was not done and now the proposed addition will make the "wall effect" much worse by eliminating any gap between the two buildings.

Management of Parking – Parking for the hotel is to be provided in the underground parking facility for the condo once it is built. The new parking that will be required because of the proposed addition to the hotel has not been provided for in the condo

plan. And, in the interim, the size of the surface parking area now used by the hotel will be drastically reduced because of the location of the proposed addition to the hotel. (The LCA also notes that the temporary parking lot remains an eyesore. While it was approved as a temporary measure, the landscaping that is required as part of the by-law approval process has never been put in place.) \

The proposal demonstrates a disturbing lack of respect for the ByWard Market Heritage Conservation District (HCD) and threatens to deal yet another blow to the integrity of Lowertown's historic spaces, its ambiance and its identity. The proposed addition, particularly when considered along with the hotel and future condo tower, does not fit in any way with character of the heritage conservation district. It will dwarf the adjacent buildings on Dalhousie Street, which, as stated in the Official Plan are to retain their existing low-profile building scale. The OP states that "city Council shall protect and enhance the heritage resources, character and features of Lowertown, and shall ensure sensitive development which respects the character and scale of nearby heritage buildings". The proposed addition to the hotel is in conflict with the City's stated heritage responsibilities.

LCA takes issue with several statements in the 2018 addendum and 2012 Cultural Heritage Impact Statements, both of which are used to justify the application.

The Union of Canada building was always considered an anomaly – replaced by another anomaly, the Andaz hotel. However, contrary the CHIS 2012 (p, 27) this is not "a trend". The east side of York is predominantly unchanged. It remains a street of mainly low and medium rise buildings, well maintained, and presenting a harmonious streetscape within the Byward Market HCD. The CHIS asserts (p29) that a "different development pattern" is firmly established. It is not. There are only 2 tall buildings on the adjacent blocks between Dalhousie and Cumberland: 60 George and 136 York.

The CHIS (2018) claims that because of the setback, the visual impact of this 19- storey building on its neighbours in the HCD across the street will be minimal. On the contrary, this building will be instrumental in negatively changing the character of this part of the HCD. It will further extend the "wall" already created by the hotel along the south side of Dalhousie. Furthermore, it violates the inherent protection provided by the Ontario Heritage Act to the Class 1 and 2 buildings directly across York Street.

We also are concerned with the impact on a very important heritage structure in the same block, the Major Building at 126 York. This is not a building with a vague provenance as implied in the 2012 CHIS. In fact, it was designed by C.P. Meredith in 1913 for Marie Corinne Lebel Major, who became president of S.J. Major Ltd. after

the death of her husband in 1903. She built the business, National Grocers Ltd., into one of the largest grocery chains in Ontario earning a reputation as one of the leading and wealthiest business women in Canada. This kind of error in the CHIS further underlines the need for prior consultation with community experts on all proposals in an HCD, such as this one.

The LCA takes issue with several statements in Section 3 of the Planning Rationale regarding compliance with the regulatory and planning framework. For example, the proposal does not contribute a single residential use in any “appropriate range and mix”, nor does it contribute in any way to “recreation, park and open space” to promote “Healthy, livable and safe communities” as required in Section 1.1.1 of the PPS. Transient hotel guests do not contribute in any way to the life of the community. Nor does compliance with accessibility regulations in a hotel setting, in any way improve accessibility for persons with disabilities in our community.

The application does not comply with the Provincial Public Policy Statement’s protection of built heritage resources. The PPS states:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

These legislative requirements are implemented in the Zoning by-law by Section 60 (Heritage Overlay). The applicant’s request for relief from Section 60) of the zoning by-law reveals a serious misunderstanding of the heritage overlay provision.

The heritage overlay is an overarching instrument to protect not only individual buildings, but the neighbourhood character. As stated in the Official Plan (2.2.9). The comprehensive zoning by-law will include heritage overlay provisions to ensure that the development of cultural heritage resources and the development of properties adjacent to cultural heritage resources achieve the objective of conserving our cultural heritage.

That 110 York Street was not considered to have heritage value in 1970, does not mean that it lacks importance as part of the streetscape and the cultural heritage landscape, in this case the Byward Market HCD. The heritage overlay is not just about individual buildings. As a placeholder for a building of similar massing and height it is an

essential element in the HCD. Its removal and replacement with a 19-story building clearly violates Section 60 and would adversely affect the local character of the HCD.

Response:

The application has been revised since its original submission to ensure a 15 metre separation distance between the high-rise portion of the addition and the closest part of the tower at 137 George Street, consistent with minimum consideration in the Urban Design Guidelines for High-rise Buildings for where lot fabric is tight. Access to the site from Dalhousie Street will remain and provides functionality. The site plan approval for 137 George Street was completed in 2015, and staff do not have the ability to require changes to architecture.

The applicant intends to phase development so that the underground parking garage for 137 George Street will be available for those parking spaces associated with 110 York Street prior to the construction of the addition.

Because the addition is located in the ByWard Market Heritage Conservation District, a report is proceeding to Built Heritage Committee with detailed staff recommendation to approve the demolition and new construction. Staff are supportive as the existing building is non-contributing and due to the proposed building's massing, siting, and materials. As such, the exemption from the heritage overlay is appropriate.