

Subject: Zoning By-law Amendment – 1166 Bank Street

File Number: ACS2024-PRE-PS-0057

Report to Planning and Housing Committee on 24 April 2024

and Council 1 May 2024

**Submitted on April 15, 2024 by Derrick Moodie, Director, Planning Services,
Planning, Real Estate and Economic Development**

Contact Person: Jean-Charles Renaud, Planner III, Development Review Central

613-223-7273, Jean-Charles.Renaud@ottawa.ca

Ward: Capital (17)

Objet: Modification du Règlement de zonage – 1166, rue Bank

Dossier: ACS2024-PRE-PS-0057

Rapport au Comité de la planification et du logement

le 24 avril 2024

et au Conseil le 1er mai 2024

**Soumis le 15 avril 2024 par Derrick Moodie, Directeur, Services de la planification,
Direction générale de la planification, des biens immobiliers et du développement
économique**

**Personne-ressource : Jean-Charles Renaud, Urbaniste III, Examen des demandes
d'aménagement centrale**

613-223-7273, Jean-Charles.Renaud@ottawa.ca

Quartier: Capitale (17)

REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1166 Bank Street, as shown in Document 1, to permit a six-storey mixed-use 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 May 1, 2024,” 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 le 1166, rue Bank, un bien-fonds illustré dans le document 1, en vue de permettre la construction d’un immeuble polyvalent de six 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 1^{er} mai 2024 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision.

EXECUTIVE SUMMARY

Staff Recommendation

Planning staff recommend approval of the Zoning By-law Amendment application for 1166 Bank Street to facilitate the development of a six-storey mixed-use building.

The applicant has requested to rezone the property from TM2 H(15) (Traditional Mainstreet, Subzone 2, Maximum Height Limit of 15 metres) to TM2[xxxx] H(20) (Traditional Mainstreet, Subzone 2, Urban Exception xxxx, Maximum Height Limit 20 metres), with site-specific provisions that would permit a decreased minimum rear yard setback, increased maximum building height, decreased additional setback above the fourth storey, reduced angular plane provisions, reduced minimum parking rate and increased minimum bicycle parking rate.

The proposal aligns with applicable Official Plan policies for this area. The property is located in the Inner Urban Transect and is designated Mainstreet Corridor.

Applicable Policy

The following Official Plan policies support this application:

- The intended pattern of development within the Inner Urban Transect is urban, which includes the characteristics outlined in Table 6 of the Official Plan, as per Policy 1 of Subsection 5.2.1. The proposal meets all of the criteria for urban built form. The policy is intended to ensure that the urban character of the Inner Urban Transect is maintained and enhanced.
- Policy 4 of Subsection 5.2.1 provides that the Inner Urban Transect shall continue to develop as a mixed-use environment, and that Mainstreets will support the growth of 15-minute neighbourhoods. The proposal is consistent with this policy as a mixed-use building located on Bank Street. This policy is intended to ensure that 15-minute neighbourhoods are preserved and enhanced, particularly along Mainstreets, by providing a full range of services to residents within walking distance of their homes.
- Policy 3 of Subsection 5.2.2 regulates motor vehicle parking in the Inner Urban Transect. The proposal is consistent with this policy, as motor vehicle parking is provided underground, concealed from the public realm, and accessed from a side street (Grove Avenue). This policy intends to ensure that motor vehicle parking is subordinated and functions as an accessory use to the primary use and does not negatively impact the public realm.
- Permitted building heights along Mainstreets in the Inner Urban Transect are generally up to nine storeys on streets with rights-of-way narrower than 30 metres, subject to appropriate height transitions, stepbacks and angular planes (Policy 2 of Subsection 5.2.3). The proposal is for a six-storey building and includes appropriate built form transition. The intention of this policy is to ensure that higher heights and density are directed towards corridors to support their

function, and to ensure that the proposed height and density is compatible with the form and function of the corridor.

- The proposal includes active entrances facing the mainstreet, in accordance with Policy 4 of Subsection 5.2.3. This policy is intended to ensure that continuous active street frontages are maintained along mainstreets.
- Policy 2 of Subsection 6.2.1 provides that development within corridors will establish maximum building heights and the highest densities close to the corridor, subject to building setbacks, and shall ensure appropriate transitions in height, land use, site design and development character through to where it meets abutting designations. The proposal meets this policy by maximizing density along Bank Street while ensuring that the intent of TM zone transitional measures (i.e., setbacks and angular planes) are preserved along the front- and corner side yards, and the rear yard where it abuts the Neighbourhood designation. Policy 2 is intended to ensure that corridors accommodate density in a manner compatible with their form and function and ensure that the character of abutting designations is preserved.
- The proposal is consistent with Policy 4 of Subsection 6.2.1 by addressing the corridor and providing vehicular access from the side street, rather than the corridor itself. This policy intends to ensure that development addresses all the streets onto which they front, and that motor vehicle parking be accommodated away from corridors.

RÉSUMÉ

Recommandation du personnel

Le personnel chargé d'urbanisme recommande l'approbation de la modification du Règlement de zonage proposée pour le 1166, rue Bank, afin de permettre la construction d'un immeuble polyvalent de six étages.

Le requérant a demandé à faire passer la désignation de la propriété visée de TM2 H(15) (Zone de rue principale traditionnelle, sous-zone 2, hauteur maximale de 15 mètres) à TM2[xxxx] H(20) (Zone de rue principale traditionnelle, sous-zone 2, exception urbaine xxxx, hauteur maximale de 20 mètres), une désignation assortie de dispositions propres à l'emplacement qui permettraient une réduction du retrait minimal de cour arrière, une augmentation de la hauteur de bâtiment, une diminution du retrait supplémentaire au-delà du quatrième étage, une réduction des dispositions relatives au plan angulaire, une réduction du taux de stationnement minimal et une augmentation du taux minimal de stationnement pour vélos.

Le projet est conforme aux politiques du Plan officiel applicables au secteur. La propriété, située dans le transect du secteur urbain intérieur, est désignée Couloir de rue principale.

Politiques applicables

Les politiques suivantes du Plan officiel sont favorables à cette demande :

- Le modèle d'aménagement prévu dans le transect du secteur urbain intérieur est de type urbain et comprend les caractéristiques décrites dans le tableau 6 du Plan officiel, comme le stipule la Politique 1 du paragraphe 5.2.1. Le projet répond à tous les critères d'une forme bâtie urbaine. Cette politique vise à assurer le maintien et la mise en valeur du caractère urbain du transect du secteur urbain intérieur.
- La politique 4 du paragraphe 5.2.1 prévoit que le transect du secteur urbain intérieur continue de se développer en zone polyvalente et que les rues principales soutiennent la croissance des quartiers du quart d'heure. Le projet est conforme à cette politique puisqu'il s'agira d'un immeuble polyvalent longeant la rue Bank. Cette politique vise à assurer le maintien et la mise en valeur des quartiers du quart d'heure, particulièrement le long des rues principales, grâce à la création de toute une gamme de services dont peuvent profiter les résidents à une distance de marche de leur domicile.
- La politique 3 du paragraphe 5.2.2 régit le stationnement des véhicules automobiles dans le transect du secteur urbain intérieur. Le projet est conforme à cette politique car le stationnement des véhicules automobiles est prévu en sous-sol, invisible depuis le domaine public et accessible par une rue secondaire (avenue Grove). Cette politique a pour objet de faire en sorte que le stationnement pour véhicules automobiles soit subordonné et serve d'utilisation accessoire à l'utilisation principale, sans avoir aucune répercussion négative sur le domaine public.
- Les hauteurs de bâtiment autorisées le long des rues principales du transect du secteur urbain atteignent généralement neuf étages au maximum le long des rues dont l'emprise est inférieure à 30 mètres, sous réserve des transitions de hauteur, des marges de recul et des plans angulaires appropriés (politique 2 du paragraphe 5.2.3). Le projet d'un immeuble de six étages tient compte d'une transition appropriée des formes bâties. Cette politique vise à s'assurer que des hauteurs et des densités plus élevées soient localisées de manière à favoriser la fonction des couloirs, et que la hauteur et la densité proposées soient compatibles avec la forme et la fonction de ce couloir en particulier.

- Le projet comprendra des entrées actives donnant sur la rue principale, conformément à la politique 4 du paragraphe 5.2.3. Cette politique vise à assurer le maintien des façades actives le long des rues principales.
- La politique 2 du paragraphe 6.2.1 prévoit que les bâtiments les plus élevés et les plus densément occupés des aménagements réalisés dans les couloirs soient construits près des couloirs, sous réserve des marges de recul, et que les transitions voulues soient assurées dans la hauteur, l'aménagement du terrain, la conception du site et le caractère de l'aménagement sur l'ensemble du site, jusqu'au point où elles rejoignent les désignations voisines. Le projet respecte cette politique en maximisant la densité le long de la rue Bank, tout en veillant à ce que l'intention des mesures transitoires de la zone TM (marges de recul, plans angulaires, etc.) soit préservée le long des cours avant, latérales d'angle et arrière contiguës à la désignation de Quartier. La politique 2 a pour objet de garantir la compatibilité de la densité des couloirs avec leur forme et leur fonction, et de veiller à la préservation du caractère des désignations voisines.

Le projet respecte la politique 4 du paragraphe 6.2.1 en tenant compte du couloir et en permettant l'accès des véhicules depuis la rue secondaire plutôt que par le couloir à proprement parler. Cette politique vise à s'assurer que l'aménagement tient compte de toutes les rues sur lesquelles il donne, et que le stationnement des véhicules automobiles ne donne pas sur les couloirs.

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

1166 Bank Street

Owner

Ambassador Realty Inc.

Applicant

Novatech Engineers, Planners & Landscape Architects (c/o Jeffrey Kelly)

Architect

Toon Dreessen, Architects DCA

Description of site and surroundings

The subject property is located along the west side of Bank Street, between Glen Avenue and Grove Avenue. It is a rectangular parcel with an approximate area of 1,015 square metres, and frontage on two streets – approximately 36 metres along Bank Street and 29 metres along Grove Avenue. The site is currently occupied by a low-rise commercial building and associated surface parking. Surrounding uses include a four-storey mixed-use building to the south across Grove Avenue, a low-rise residential neighbourhood to the west, and a mix of low-rise retail, restaurant, commercial uses to the north and south, along Bank Street. A City-owned public lane is located immediately west and abutting this site.

Summary of proposed development

The applicant proposes to construct a six-storey, mixed-use building containing four ground floor commercial units and 45 residential units. The proposed residential units range in size from one-bedroom to two-bedroom-plus-den units. The principal access to the residential units is proposed along Grove Avenue and the commercial access is proposed along Bank Street. A total of 14 vehicle parking spaces are proposed within an underground parking garage to serve residents and visitors, which will also be accessed from Grove Avenue. A total of 59 bicycle parking spaces are provided within the building, as well as along Grove Avenue for the benefit of visitors and commercial patrons.

Given an unusual front property line configuration and a compromised Right-of-Way protection requirement, the proposed building has been modeled to respond to this particular condition and the road widening will be conveyed to the City during the ongoing Site Plan Control application.

Summary of requested Zoning By-law amendment

In order to facilitate the proposed development, the applicant proposes to rezone the subject site from TM2 H(15) (Traditional Mainstreet, Subzone 2, Maximum Height Limit of 15 metres) to TM2[xxxx] H(20) (Traditional Mainstreet, Subzone 2, Urban Exception xxxx, Maximum Height Limit 20 metres). The proposed site-specific exception as follows:

- Decreased minimum rear yard setback from 4.5 metres to 2.6 metres (this applies only to the portions of the underground garage and ramp which protrude above grade, the highest point being 1.6 metres tall, upon which an amenity terrace is proposed).
- Increased maximum building height from 15 metres to 20 metres.

- Decreased additional setback from 2 metres to 1.3 metres above the fourth storey in the front yard.
- The 45-degree angular plane is to be measured at a height of 17.5 metres from a point 4.5 metres from the rear lot line, whereas the by-law requires it to be measured at a height of 15 metres from a point 7.5 metres from the rear lot line.
- Reduced minimum parking rate from 0.5 space per unit after the first 12 units, to 0.44 spaces per unit after the first 12 units (a total of 11 spaces will be provided whereas 15 spaces are required).
- Increased minimum bicycle parking rate from 0.5 space per unit to one space per unit (a total of 59 bicycle parking spaces are being proposed).

A Site Plan Control application for this proposal is currently being reviewed by staff.

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. A virtual public consultation was held on June 14, 2023. 37 members of the public attended, as well as the Ottawa South Community Association (OSCA). Concerns were raised regarding the proposed height, massing and cladding of the building, the proposed increase in density, the provision of amenity space, the impacts on traffic as well as tree protection.

During the application review process the design of the building was refined and the proposed relief from the amenity area provisions of the Zoning By-law were removed from the application.

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

Official Plan designation(s)

According to Schedule A of the Official Plan, this property is located within the Inner-Urban Transect Policy Area. Schedule B2 further identifies the property as being along a Mainstreet Corridor (Bank Street), which anticipates building heights up to nine storeys.

The lands are also affected by the "Evolving" Overlay, which is applied to areas in close proximity to Hubs and Corridors and is meant to signal a gradual evolution over time that will see a change in character to support intensification, including guidance for a

change in character from suburban to urban to allow new built forms and more diverse functions of land.

Heritage

The property is not located within a Heritage Conservation District, nor is it affected by the Zoning By-law's Heritage Overlay. The existing building and lands are not designated under the *Ontario Heritage Act*.

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 applications was held on September 8, 2023

The panel's recommendations from the formal review of the Zoning By-law Amendment application and/or Site Plan Control application can be found on the [City's website](#).

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

- A modest increase in the public realm along Bank Street with revised retail unit locations/entrances and a wider ground floor plane with a more consistent pedestrian-building interaction with larger windows.
- Revised massing including elimination of a cantilever of the second-fourth floors at the rear results in a simpler approach and an increased setback from the residential properties to the west.
- A refinement of the materials, massing and geometry to create a simpler building.

Planning rationale

Official Plan

The property is located within the Inner Urban Transect Policy Area on Schedule A of the Official Plan. This Policy Area surrounds the Downtown Core and includes the earliest post-World War II neighbourhoods adjacent to it. The intent is to enhance the urban pattern built form while prioritizing walking, cycling and transit within the Transect, and to provide direction to the Hubs, Mainstreet Corridors and Neighbourhoods.

The property is located along a Mainstreet Corridor (Bank Street) under Schedule B2 of the Official Plan. Corridor designations apply to bands of land along specified streets whose planned function combines a higher density of development and a greater degree of mixed uses than the surrounding neighbourhoods. Development along corridors is encouraged to establish buildings that locate the maximum permitted heights and highest densities close to the corridor, while ensuring appropriate transitions in height, design and character. Mainstreet Corridors are recognized as having a different context than their surroundings and the Official Plan seeks to set out policies to foster their development. Along Mainstreets, permitted heights for properties that front on segments of streets whose right-of-way is narrower than 30 metres (which is the case for Bank Street), heights up to nine storeys are generally permitted.

While not technically within a Neighbourhood Designation due to the prevailing Mainstreet Corridor Designation, the surrounding area is designated as an Evolving Neighbourhood in the Official Plan. These areas permit building heights within a low-rise range of development and also strive to support the development of the 15-minute neighbourhood, as discussed above. The Neighbourhood policies seek to distribute the allowed densities in a manner which would allow higher densities in areas closer to transit stations, Corridors, and major neighbourhood amenities. The “evolving” overlay is applied to areas in close proximity to Hubs and Corridors and is meant to signal a gradual evolution over time that will see a change in character to support intensification, including guidance for a change in character from suburban to urban to allow new built forms and more diverse functions of land.

Section 4.6 sets out Urban Design guidance with the intent of achieving design excellence and innovation, while also being sensitive to the integration of new developments within existing neighbourhoods. Development along Corridors is intended to respond to the context, transect area and overlay policies, and should be positioned so as to appropriately frame the adjacent street(s).

The proposed development takes advantage of its location on a corner lot by framing the two street frontages. A typical urban, hard landscaping treatment is provided along Bank Street, and a softer landscaping treatment is provided along Grove Avenue, leading into the neighbourhood. The proposed height increase is consistent with the Mainstreet Corridor designation and the proposal generally meets the City’s angular plane requirements by providing appropriate built-form transition from the mid-rise corridor context to the abutting low-rise neighbourhood context. The requested relief to the angular plane requirements is intended to take advantage of the abutting public lane, which requires a rear yard setback of 4.5 metres due to the additional buffer a lane provides. That being said, an increased rear yard setback of 6.5 metres, except for the

garage portion, is being secured through a site-specific provision which will ensure an appropriate built form transition to the neighbourhood.

Staff are of the opinion that the proposed rezoning necessary to accommodate the proposed six-storey mixed-use building is consistent with Official Plan policies and represents a built-form consistent with the planned function while also maintaining compatibility with the existing surroundings.

Zoning By-law

The property is currently zoned TM2 H(15) (Traditional Mainstreet, Subzone 2, Maximum Height Limit of 15 metres), which is generally intended to accommodate a broad range of uses including retail, service commercial, office, residential and institutional uses, including mixed-use buildings. The TM zone seeks to foster and promote compact, mixed-use, pedestrian-oriented development that provide for access by foot, cycle, transit and automobile. The TM2 subzone is similar to the parent zone, but only permits residential uses when located within a building containing one or more permitted non-residential use. The current height limit is 15 metres.

In order to permit the proposed six-storey mid-rise mixed-use building the property is proposed to be rezoned to “TM2[xxxx] H(20)” (Traditional Mainstreet, Subzone 2, Urban Exception xxxx, Maximum Height Limit 20 metres), along with the following site-specific zoning provisions:

- The proposal seeks a reduction to the minimum rear yard setback from 4.5 metres to 2.6 metres. This setback reduction will only apply to a 1.6 metre-high garage ramp and foundation at the rear of the building. The remainder of the building will exceed the rear yard setback requirement at 6.5 metres.
- The proposal seeks a reduction to the additional setback required above the fourth storey. The by-law requires a 2.0 metre setback at the front of the building above the fourth storey, and a reduction to 1.3 metres is requested. This minor reduction will preserve the provision’s intent, which is to provide massing relief along the Mainstreet environment and to preserve the pedestrian scale.
- The proposal seeks relief from the parameters by which the 45-degree angular plane is to be measured. The by-law states that the angular plane is to be measured at a height of 15 metres and at a distance of 7.5 metres from the rear lot line. The proposal seeks zoning relief to measure the angular plane at a height of 17.5 metres from a point 4.5 metres from the rear lot line, projecting upwards towards the front lot line. The requirement for the angular plane being measured at a distance of 7.5 metres is meant to reflect typical rear yard

requirements along mainstreets. Understanding that rear yard setback requirements when abutting public lanes is reduced to 4.5 metres, staff consider it appropriate to similarly reduce the distance at which the angular plane is being measured. The remainder of the building will exceed the rear yard setback requirement at 6.5 metres only a small portion of the sixth storey will project beyond the required angular plane. Given this built-form relationship and considering the increased buffer area provided by the public lane, staff are comfortable with the increase in height at which the angular plane is being measured.

- The proposal seeks a reduction to the minimum number of vehicular parking spaces required. The by-law requires 0.5 parking spaces per unit after the first 12 units, and the proposal requests a relief down to 0.44 spaces per dwelling unit after the first 12 units. This will result in a total of four fewer parking spaces being provided. Being located within an area well served by public transit, along Bank Street's Mainstreet context, staff are not concerned with this minor reduction in parking spaces. The proposal also provides 59 bicycle parking spaces, representing a ratio of nearly 1.3 spaces per dwelling unit, which is a significant increase over the Zoning By-law's 0.5 space per dwelling unit requirement. In order to guarantee this, an additional zoning provision has been added requiring bicycle parking spaces to be provided at a rate of at least 1.0 per dwelling unit.

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 this report.

COMMENTS BY THE WARD COUNCILLOR(S)

Councillor Shawn Menard provided the following comments:

This development will bring 45 new households to Old Ottawa South on Bank St. This application has seen several modifications since the initial submission and has evolved into a stronger application.

I am very thankful to the community and to the applicant for participating in a meaningful consultation process. The number one concern raised by my community, and by the local community association, was concern that the initial proposed design was going to fall significantly short of meeting the amenity space requirements under zoning. I am

proud of my community for prioritizing, above all else, this quality of life element for their future neighbours. I am also thankful to the applicant for hearing this concern and revising their proposal to meet the minimum requirements for amenity space under zoning.

The second most cited concern from my community was that the initial proposal had a small amount of glazing on the front façade at grade where ground floor commercial is anticipated relative to other ground floor offerings on Bank St. As I outlined recently in my comments for the application at 617 Bank St, using the built form to promote active frontages and, by extension, animated streetscapes, is important. We want to ensure that Bank St in Old Ottawa South continues to be an inviting and successful traditional mainstreet. Welcoming new neighbours helps us do this, and so does a built form that invites activity at grade. Again, I'd like to thank the applicant for hearing this concern and revising their proposal accordingly.

There were also concerns that fell outside of the narrow scope of a zoning bylaw application, but that were nevertheless important concerns. Specifically, the community expressed concern about losing their only convenience store and post office. After speaking with the applicant, the convenience store ownership, and Canada Post, I can say that all parties are aware of the community's desire to maintain access to these amenities in Old Ottawa South.

Although there are no guarantees regarding commercial tenancies that can be secured through the ZBLA process, the applicant is providing space that could easily accommodate a convenience store, and the Quickie ownership is aware that we would like to see them return here or elsewhere close by. Canada Post does have internal requirements to ensure a minimum standard of access to postal outlets across different geographies. I believe that the continued presence of a postal outlet on Bank Street in Old Ottawa South is likely. In fact, Canada Post had identified a new location across the street on Bank Street in September of last year, but that those plans did not proceed at the time due to the application for 1166 Bank St being delayed.

This building will be a mass timbre construction. That and other elements of the proposal have been geared towards the promotion of environmental sustainability. Some existing trees will be lost, however, while others will remain. I was hopeful that the two smaller street trees on Bank St on the north side of the lot, in particular, could have been preserved. I appreciate the logistical difficulties with this, and that the applicant will be planting a new tree as well as dozens of additional plantings in an effort to offset this loss. The two most mature trees at this site are to be preserved.

With Lansdowne renewal and an increasing amount of infill coming to Bank St, we need a Bank St that can adequately accommodate and prioritize sustainable transportation, something that new developments should contribute towards. I know this applicant has raised this as an important factor in design.

Ultimately, this application is an example of how our urban communities continue to be accepting of additional height and density in their neighbourhoods, while also having meaningful feedback to provide through a consultation process. We need more mid-rise mixed use applications like this in our city coupled with more good faith consultation.

ADVISORY COMMITTEE(S) COMMENTS

N/A

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

The new building will be required to meet the accessibility criteria contained within the Ontario Building Code. Staff have no concerns about accessibility.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- A city that has affordable housing and is more livable for all.

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-23-0023) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to delays between submissions.

SUPPORTING DOCUMENTATION

Document 1	Location Map/Zoning Key Map
Document 2	Details of Recommended Zoning
Document 3	Consultation Details
Document 4	Comments from the Old Ottawa South Community Association, dated May 30, 2023
Document 5	Comments from the Old Ottawa South Community Association, dated August 30, 2023
Document 6	Proposed Site Plan
Document 7	Renderings

CONCLUSION

The Planning, Real Estate and Economic Development Department supports the application and proposed Zoning By-law Amendment. The proposal is consistent with the Official Plan policies in the Inner Urban Transect Policy Area, as well as those related to Mainstreet Corridors. The proposed Zoning By-law amendment is appropriate for the site and maintains policy objectives related to Evolving Neighbourhoods and Urban Design. The amendment represents good planning and, for the reasons stated above, staff recommends approval of the Zoning By-law amendment.

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.

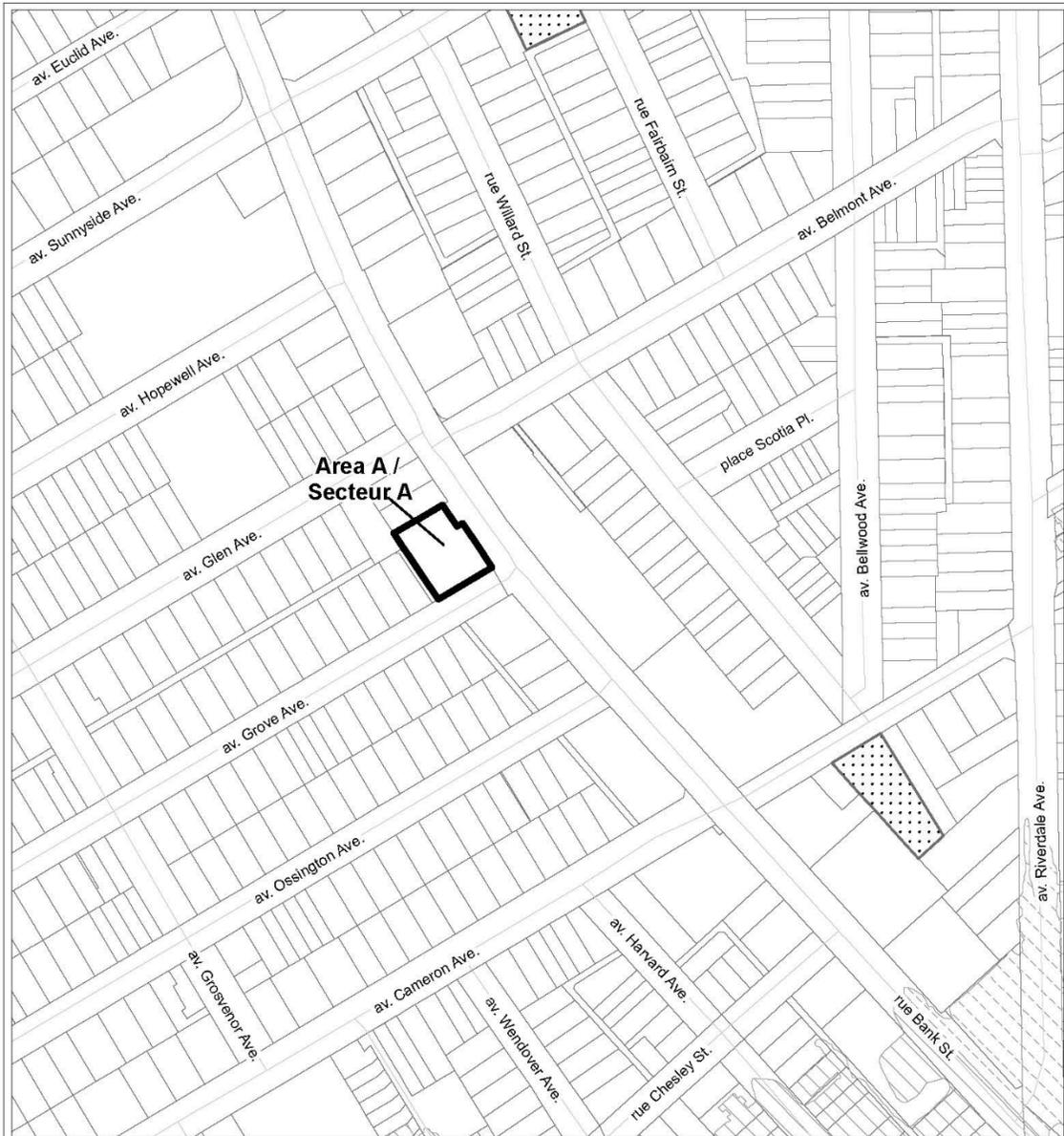
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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 – Location Map / Zoning Key Map

For an interactive Zoning map of Ottawa visit geoOttawa



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE SITE PLAN / PLAN DE EMPLACEMENT 1166 rue Bank Street	
D02-02-23-0023	24-0298-D	Area A to be rezoned from TM2 H(15) to TM2 [xxxx] H(20) Le zonage du secteur A sera modifié de TM2 H(15) à TM2 [xxxx] H(20)	
D07-12-23-0035		Heritage (Section 60) Patrimoine (Article 60)	
I:\CO\2023\ZKP\Bank_1166		Existing Flood Plain (Section 58) / Plaine inondable (Article 58)	
©Parcel data is owned by Teramet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission THIS IS NOT A PLAN OF SURVEY		Flood Plain - Area Specific Provisions (Section 58) / Plaine inondable - Dispositions propres à des emplacements (Article 58)	
©Les données de parcelles appartient à Teramet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE		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 - 2024 / 03 / 15			

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1166 Bank 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 “TM2 [xxxx] H(20)”
 - b. In Column V, “Exception Provisions – Provisions” add the following:
 - i. Minimum rear yard setback for a 1.6 metre-high garage ramp and foundation at the rear of the building is 2.6 metres. The minimum rear yard setback for the remainder of the building is 6.5 metres.
 - ii. Additional setback of 1.3 metres from the front and corner lot lines is required above the fourth storey
 - iii. Despite Table 197(g)(ii) the 45 degree angular plane is to be measured at a height of 17.5 metres from a point 4.5 metres from the rear lot line, projecting upwards towards the front lot line.
 - iv. Despite Section 101, the minimum number of vehicular parking spaces required is 0.44 spaces per dwelling unit after the first 12 units.
 - v. The minimum number of bicycle parking spaces required is one per dwelling unit.

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. One public meeting was also held in the community on June 14, 2023

Public Comments and Responses

1. Amenity area: Opposition to initial proposed reduction in required amenity area. Concerns that lack of amenity area will result in increased risk of social isolation of older adults. The developer should not rely on the availability of nearby private amenities. Desire for additional private amenity spaces, such as balconies and terraces.

Response: Amenity areas were revised throughout the application review process and relief is no longer sought from the provisions of the Zoning By-law relating to amenity space. A total amenity area of 279.23 square metres is proposed whereas 270 square metres is required, which includes 250.09 square metres of communal amenity space (whereas 135 square metres is required) plus 29.14 square metres of private space. French balconies are proposed for units on levels five and six.

2. Building height: Concerns with proposed building height of six storeys and additional density. Desire for existing height transition measures per zoning to be retained.

Response: Bank Street is designated as a Mainstreet Corridor within the Inner Urban Transect under the Official Plan. A building height of between two and nine storeys is generally permitted subject to appropriate height transitions, stepbacks and angular planes. Staff have no concerns with the proposed angular plane measured from a distance of 4.5 metres from the rear lot line and from a height of 17.5 metres as an existing 3 metres wide public laneway serves to provide a buffer between the property and the neighbouring residential properties at the rear. The rear façade of the building is set back 6.5 metres from the rear property line, with a functional setback of 9.5 metres with the laneway included.

3. Commercial uses: Disappointment that the existing Quickie and associated Canada Post will be displaced as a result of the proposed development. Request for the developer to engage with current tenants to reintroduce these uses in the

new building. Concerns with the layout of the proposed at-grade commercial – four small spaces not sufficient.

Response: The applicant has acknowledged these comments. No specific tenants have been identified for the commercial units of the building.

4. Building design/compatibility: Concerns that the proposed development does not complement the existing character of the area. Concerns with the proposed building materials. Concerns with the proposed window sizes – too small and not consistent. Desire for a quieter architectural expression with fewer materials. Suggestion for residential entrance to be located on Bank Street. Suggestion to add fenestration to north façade. Changes should be made to the ground floor to strengthen its relationship with Bank Street.

Response: The architectural expression of the building was revised and refined throughout the application review process. The window sizes, material choices and colour palette were amended. Staff will continue to work with the applicant during Site Plan review to finalize the design of the building..

5. Housing: Concerns with small unit sizes. Request for affordable housing and/or rental units as part of the proposed development.

Response: The number of units and their sizes were amended to respond to market conditions and to accommodate other requests from the community and staff.

6. Parking: Concerns with the lack of parking and a desire for additional parking spaces. Concerns that the proposed development/lack of parking will lead to increased street parking in surrounding areas. Desire for all residential bicycle parking to be located within the building.

Response: A slight reduction in residential vehicular parking is proposed – 11 spaces are proposed whereas 15 are required under the Zoning By-law. The City is supportive of a reduction in residential vehicle parking in areas well-served by amenities, public transit and active transportation. 59 residential bicycle parking spaces are proposed whereas 19 are required under the Zoning By-law.

7. Traffic: Concerns about the flow of traffic from the proposed development through the surrounding neighbourhood, due to one-way streets. Request for traffic calming measures in surrounding area, particularly on Grove Avenue.

Response: City staff are satisfied with the applicant's transportation analysis and all transportation-related comments were addressed during the application review process.

8. Landscaping: Concerns that the proposed development occupies too much of the site, leaving very little space for landscaping/natural features. Request to take a closer look at the landscaped area between the building and the western property line from a CPTED perspective and to consider means to control access to this area. Desire for additional street trees along Grove Avenue.

Response: The proposed building complies with the Zoning By-law requires for yard setbacks and lot coverage. Open space between the western property line and the proposed building will be maintained.

9. Privacy: Immediate neighbours request a higher privacy fence.

Response: A 2.1 metres high fence is proposed around the outdoor amenity area.

10. Public realm: Desire for expanded sidewalk space along Bank Street.

Response: The proposal was revised to include additional sidewalk space along Bank Street.

Document 4 - Comments from the Old Ottawa South Community Association, dated May 30, 2023

On behalf of the Old Ottawa South Community Association, please accept these preliminary comments regarding the Zoning Bylaw Amendments application for the mid-rise, mixed use building proposal at 1166 Bank Street.

The applicant is proposing to rezone the property from TM2 H(15) Maximum Height Limit of 15 metres, to TM2[XXXX] (Traditional Mainstreet, Subzone 2, Urban Exception XXXX).

OSCA appreciates that the proposal adds desired density and rental opportunities along our mainstreet, but nevertheless has some concerns with proposed site-specific exceptions being requested.

These exceptions, as found in the Application Summary, are related to:

Height requirements:

- Permit a maximum height of 20 metres, whereas the current zoning permits up to 15 metres.

Rear Angular Plane Requirements:

- Permit an alteration to the required 45-degree angular plane for the proposed building to the rear lot line, allowing it to be measured at a height of 15.6 metres from a point 4.5 metres from the rear lot line, projecting upwards towards the front lot line, whereas the Zoning By-law requires that a 45 degree angular plan be measured at a height of 15 metres from a point 7.5 metres from the rear lot line, projecting upwards towards the front lot line.

Amenity Space Requirements:

- Reduce total amount of required amenity area to 113.35 square metres, whereas the Zoning Bylaw requires 228 square metres (6 square metres per dwelling unit).
- Reduce required communal amenity area to 59.6 square metres, whereas the Zoning By-law requires 114 square metres (50% of required total amenity area).

The community understands that the request for relief from the Maximum Height Limit of 15 metres, as per the current zoning, aligns with new Official Plan policies for the area.

OSCA notes that the Zoning Bylaw requirement for a 45-degree angular plan measured from a point 7.5 metres at a height of 15 metres from the rear lot line and projecting upwards towards the front lot line, is not shown on the submitted elevations; only the requested angular plane relief is shown. We ask that the angular plane line, as currently required by the Zoning Bylaw, be accurately depicted on the elevation drawings, so that the community and staff may better assess the extent of the relief being sought by the applicant.

Regarding the relief from the performance standards on rear amenity space requirements, OSCA strenuously opposes the proposed reductions in amenity spaces requirements.

The Planning Rationale submitted with this application states that “Based on publicly accessible amenities located in the immediate area, a reduction to the total required amenity area and total required communal amenity area provided on the Subject Property is appropriate for the proposed development.”

Cafes, movie theatres and recreational amenities in the wider community do not relieve the applicant from the requirements of the bylaw and are not a substitute for amenity spaces within a building.

The purpose of the Zoning Bylaw is to provide a minimum amount amenity space for residents within the buildings in which they reside.

Personal and communal amenity spaces add to the livability of apartment units and encourage social connections and healthy communities within multi-unit residential developments. The benefits of amenity spaces are numerous and serve all potential residents -- seniors in our community seeking to downsize and remain within Old Ottawa South, young families and students.

In addition to these points, OSCA has reviewed proposed presentation package to the Urban Design Review Panel. Given community comments regarding aesthetics and the dearth of glazing on the ground floor retail units, we look forward to receiving the Urban Design Review Panel comments and recommendations.

Thank you for your consideration of these comments.

A handwritten signature in blue ink that reads "Richard Slowikowski". The signature is written in a cursive style with a prominent initial 'R'.

Richard Slowikowski

President, Old Ottawa South Community Association

Document 5 - Comments from the Old Ottawa South Community Association, dated August 30, 2023

On behalf of the Old Ottawa South Community Association, please accept these comments regarding the revised Zoning Bylaw Amendments application for the mid-rise, mixed use building proposal at 1166 Bank Street. These comments follow on earlier comments of May 30, 2023.

The applicant is proposing to rezone the property from TM2 H(15) Maximum Height Limit of 15 metres, to TM2[XXXX] (Traditional Mainstreet, Subzone 2, Urban Exception XXXX).

OSCA appreciates that the proposal adds desired density and rental opportunities along our mainstreet, but nevertheless has some concerns regarding proposed site-specific exceptions being requested.

These exceptions, as found in the Application Summary provided with the original application, are related to: Height requirements:

- Permit a maximum height of 20 metres, whereas the current zoning permits up to 15 metres.

Rear Angular Plane Requirements:

- Permit an alteration to the required 45-degree angular plane for the proposed building to the rear lot line, allowing it to be measured at a height of 15.6 metres from a point 4.5 metres from the rear lot line, projecting upwards towards the front lot line, whereas the Zoning By-law requires that a 45 degree angular plan be measured at a height of 15 metres from a point 7.5 metres from the rear lot line, projecting upwards towards the front lot line.

Amenity Space Requirements:

- Reduce total amount of required amenity area to 113.35 square metres, whereas the Zoning Bylaw requires 228 square metres (6 square metres per dwelling unit).
- Reduce required communal amenity area to 59.6 square metres, whereas the Zoning By-law requires 114 square metres (50% of required total amenity area).

The community understands that the request for relief from the Maximum Height Limit of 15 metres, as per the current zoning, aligns with new Official Plan policies for the area.

OSCA notes that the Zoning Bylaw requirement is for a 45-degree angular plan measured from a point 7.5 metres at a height of 15 metres from the rear lot line and projecting upwards towards the front lot line.

While a number of angular plane lines are shown on the submitted elevations, there does not appear to be among them a line at the 7.5m point from the rear lot line, and taken at the required 15m height, clearly indicated. An accurately and clearly depicted angular plan line on the elevation drawings would help the community and staff better assess the extent of the relief being sought by the applicant.

After meeting with Planning Staff on August 30, 2023, it is understood that relief from Amenity Space requirements is no longer being sought. The increase in amenity space is a very welcome development, as the community strenuously opposes reductions in amenity spaces requirements.

We do, nevertheless, have concerns regarding the designation of what are, in the main, circulation spaces, as amenity space. While the bench shown in the space that also includes the mailboxes and the access corridor between the bike storage room and building entrance, is appreciated, we are unsure to what degree the entire space can legitimately be called amenity space.

The same is true of the interior amenity space at the roof level. The circulation area required for people to navigate in front of the elevator and the exit stair, as well as the location of the entrance doors to the exterior amenity space and to the mechanical room, significantly reduces the area available to residents as amenity space.

Finally, OSCA regrets the relatively small proportion of private amenity space provided to residents. Personal amenity spaces greatly contribute to the livability of apartment units, particularly where the units being offered are smaller in size.

As of this writing, the 1166 Bank Street proposal has not been formally reviewed by the Urban Design Review Panel. We understand that this review is scheduled in the near-term. Given community comments regarding the relationship of the building to the surrounding context, and aesthetics in general, OSCA looks forward to receiving the Urban Design Review Panel comments and recommendations.

Thank you for your consideration of these comments.

A handwritten signature in blue ink that reads "Richard Slowikowski". The signature is written in a cursive style with a prominent initial 'R'.

Richard Slowikowski

President, Old Ottawa South Community Association

Document 7 – Renderings

