

Subject: Official Plan Amendment and Zoning By-law Amendment – 30 Cleary Avenue

File Number: ACS2024-PDB-PSX-0011

**Report to Planning and Housing Committee on 28 August 2024
and Council 4 September 2024**

**Submitted on August 19, 2024 by Derrick Moodie, Director, Planning Services,
Planning, Development and Building Services**

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Ward: Bay (7)

**Objet : Modification du Plan officiel et du Règlement de zonage – avenue, 30
Cleary**

Dossier : ACS2024-PDB-PSX-0011

Rapport au Comité de la planification et du logement

le 28 août 2024

et au Conseil le 4 septembre 2024

**Soumis le 19 août 2024 par Derrick Moodie, Directeur, Services de la planification,
Direction générale des services de la planification, de l'aménagement et du
bâtiment**

**Personne ressource : Stream Shen, Urbanist III, Examen des demandes
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REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve:
 - a. An amendment to the Official Plan, Volume 2A – Urban Secondary Plans, Sherbourne and New Orchard Secondary Plan, Policy 17(a) to replace the transition zone requirement with a requirement for 10.5 metre and 14 metre setbacks from an abutting low-rise residential zone for mid- and high-rise buildings, respectively, as detailed in Document 2.
 - b. An amendment to Zoning By-law 2008-250, as amended, for 30 Cleary Avenue, as shown in Document 1, to permit a six-storey mid-rise building and a 16-storey high-rise building, as detailed in Document 3 and 4.

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 4, 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 municipal d’approuver :
 - a. la modification à apporter au Plan officiel (volume 2A – Plans secondaires des secteurs urbains, politique 17) a) du Plan secondaire du secteur de Sherbourne et de New Orchard), afin de remplacer l’obligation d’aménager la zone de transition par l’obligation de prévoir des marges de retrait de 10,5 mètres et de 14 mètres à partir d’une zone résidentielle de faible hauteur contiguë pour les immeubles de moyenne et de grande hauteurs respectivement, selon les modalités précisées dans la pièce 2;
 - b. la modification à apporter au *Règlement de zonage* (n° 2008-250), dans sa version modifiée, pour le 30, avenue Cleary, comme

l'indique la pièce 1, afin d'autoriser l'aménagement d'un immeuble de moyenne hauteur de 6 étages et d'un immeuble de grande hauteur de 16 étages, selon les modalités précisées dans les pièces 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 la « brève explication » du Résumé des mémoires déposés par écrit et de vive voix, à rédiger par le Bureau du greffe 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 tenue par le Conseil municipal le 4 septembre 2024 », sous réserve des mémoires qui seront déposés entre la publication de ce rapport et la date à laquelle le Conseil municipal rendra sa décision.**

EXECUTIVE SUMMARY

Staff Recommendation

Planning staff recommend approval of the Official Plan Amendment and Zoning By-law Amendment applications for 30 Cleary Avenue to permit the development of six-storey and 16-storey residential buildings on an underutilized portion of the site currently occupied by surface parking.

The Official Plan Amendment will replace Policy 17(a) in the Sherbourne and New Orchard Secondary Plan, which currently requires a 30-metre transition zone, with a simplified requirement for a 10.5 metre setback from abutting low-rise residential zone for a mid-rise building, and a 14 metre setback for a high-rise building. 'Transition Zone' is not a defined term within the Secondary Plan or the Official Plan and is subject to interpretation. It is most often measured from the property line; however, it can also be interpreted to include parts or the whole of the rear yard for the adjacent homes along Aylen Avenue. The Official Plan amendment will adjust the requirement through a clear and definable setback from the shared property line.

The Zoning By-law Amendment seeks to retain the existing Minor Institutional Zone (I1A) and create a site-specific zoning exception to permit mid- and high-rise apartment dwellings with a maximum tower floor plate of 750 square metres, permit a limited amount of amenity area in the mechanical penthouse level, and carry over minimum vehicular parking rates from previous zoning. A holding symbol will also be implemented

with requirements related to tree retention, addressing fire flow demand, and the required watermain crossing and connection through adjacent property to Richmond Road. A site-specific schedule establishes minimum building setbacks, stepbacks, and maximum heights.

The proposal aligns with applicable Official Plan and Secondary Plan policies for this area. The site is designated as Neighbourhood within the Inner Urban Transect, subject to an Evolving Neighbourhood Overlay. It is also designated Institutional Mixed-use in the Sherbourne and New Orchard Secondary Plan, which permits building heights up to 16-storeys subject to a 30-metre transition zone. Residential uses are allowed where the predominance of institutional community serving uses is maintained.

Staff recommends approval of the applications based on the following rationale:

- Policy 18 of the Sherbourne and New Orchard Secondary Plan supports the introduction of additional uses on the site, where it is demonstrated that the majority of uses be institutional community serving uses, such as day care; church; retirement residential; community centre; garden; and housing with emphasis on affordable. The proposed six-storey building containing 66 affordable units in partnership with Ontario Aboriginal Housing Services adds an additional institutional community serving use to the site and with the high-rise building only occupying a small, underutilized portion of the site, staff is satisfied that most of the site remains developed with institutional community serving uses.
- Mid- to high-density development is permitted within the Inner Urban Transect, subject to proximity of rapid transit and availability of services (Policy 5.2.1). Under the Secondary Plan, building heights up to 16-storeys are also permitted (Policy 17). The proposed development is within 200 metres walking distance to the future Sherbourne O-train Station and is in close proximity to an array of amenities such as Carlingwood Shopping Centre, Kichi Zibi Mikan Parkway, commercial uses along Richmond Road and various parks and open spaces. The proposed six- and 16-storey buildings conform to the maximum height permission within the Secondary Plan, are in close proximity to transit, and support the creation of complete 15-minute neighbourhoods.
- The proposed development is an infill proposal within the existing Unitarian Campus. The Secondary Plan requires any development project to assess the site in its entirety (Policy 20). The existing campus includes First Unitarian Congregation, a place of worship featuring a unique architectural design; the

Unitarian House, a non-profit retirement residence and senior apartment building; and the River Parkway Child Care Centre. The campus also includes other important considerations such as an internal driveway and sidewalk that provide access to all existing uses, mature trees and landscaping along the north and westerly boundary, and a central garden with mature trees. The proposed building location will allow for the protection of the existing westerly landscape area and the central garden, maintain the existing driveway and building accesses, break up the cumulative massing of existing and future high-rise along Richmond Road, and not detract from the architectural significance and views for the First Unitarian Congregation along the Kichi Zibi Mikan Parkway.

- One of the key considerations for high-rise development is compatibility with and transition to the abutting low-rise community. The proposed development achieves appropriate transition by increasing the minimum setback of 7.5 metres to between 10.5 and 14 metres, which allows for the protection of the mature landscape buffer along the westerly lot line. The proposed high-rise includes several stepbacks above the building podium and a maximum tower floor plate of 750 square metres. The variation in height and setback between the six and 16-storey buildings also helps to create variation in design and mitigate the cumulative massing impact to the low-rise community. The existing homes along Aylen Avenue are also deep lots with an average lot depth of 50 metres and rear yard setbacks ranging between 16 to 27 metres. The minimum setback from the proposed high-rise and mid-rise buildings to the existing homes are 35 and 26 metres respectively, providing a reasonable building-to-building separation. Lastly, the orientation of the proposed buildings minimizes shadow impacts for the adjacent low-rise community. Based on the policy direction within the Secondary Plan, the campus can accommodate a number of high-rise buildings subject to the 30-metre transition. The proposed six and 16-storey buildings, while located closer to the westerly lot line, achieve an appropriate transition through the variation in massing, stepbacks, minimal floor plate and the protection of existing mature landscape buffer.

Other Matters

The six-storey building will contain a total of 66 affordable housing units in partnership with Ontario Aboriginal Housing Services (OAHS). OAHS is a housing service provider that focuses on the provision of housing to the Indigenous community, with a goal to address gaps and ensure culturally appropriate responsible integration of services

within the housing continuum. OAHs seeks to provide a variety of housing options that suit individual and family needs along the housing continuum.

Public Consultation

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

Two Public Information Sessions, organized by Councillor Kavanagh, were held on June 28, 2023, and April 4, 2024. The applicant, developer, and Ward Councillor were present at the meeting. There was also a variety of outreach, site tours and meetings between the applicant and the community associations.

Approximately 200 comments have been received through the development review process. Comments mainly noted concerns with transition to the abutting properties on Aylen Avenue, vehicular and pedestrian access to the site, loss of trees and negative impacts to the existing central gardens, and lack of parking. Several comments in support of the affordable housing element of the proposal were also received.

RÉSUMÉ

Recommandation du personnel

Le personnel des Services de planification recommande d'approuver les demandes de modification du Plan officiel et de modification du *Règlement de zonage* pour le 30, avenue Cleary afin d'autoriser l'aménagement d'immeubles d'habitation de 6 et de 16 étages sur une partie sous-utilisée du site actuellement occupé par des places de stationnement en surface.

Cette modification du Plan officiel remplacera la politique 17) a) du Plan secondaire du secteur de Sherbourne et de New Orchard, qui oblige actuellement à aménager une zone de transition de 30 mètres et qui prévoit une obligation simplifiée pour l'aménagement d'une marge de retrait de 10,5 mètres à partir de la zone résidentielle de faible hauteur contiguë pour un immeuble de moyenne hauteur et une marge de retrait de 14 mètres pour un immeuble de grande hauteur. La « zone de transition » n'est pas un terme défini dans le Plan secondaire ni dans le Plan officiel et peut prêter à interprétation. Elle se mesure le plus souvent à partir de la limite de la propriété; toutefois, l'interprétation qu'on en fait peut aussi comprendre des parties ou la totalité de la cour arrière pour les habitations contiguës donnant sur l'avenue Aylen. Cette modification du Plan officiel permettra de corriger cette obligation en prévoyant une marge de retrait claire et définissable à partir de la limite commune de la propriété.

La modification du *Règlement de zonage* vise à conserver la zone de petites institutions (I1A) existante et à créer une exception de zonage propre au site pour autoriser l'aménagement d'immeubles d'appartements de moyenne et de grande hauteurs, dont la superficie au sol maximum des tours est de 750 mètres carrés, d'autoriser une superficie limitée pour une aire d'agrément au niveau de la salle mécanique et de reprendre les ratios minimums de surface à consacrer au stationnement dans l'ancien zonage. On fera aussi appel à un symbole d'aménagement différé et aux obligations liées à la rétention des arbres, en se penchant sur la demande en débit incendie, ainsi qu'au point de franchissement de la conduite d'eau principale obligatoire et à son raccordement en passant par la propriété attenante jusqu'au chemin Richmond. Un barème propre au site établit les marges de retrait minimums, les marges de recul minimums et les hauteurs maximums des bâtiments.

Cette proposition cadre avec les politiques applicables du Plan officiel et du Plan secondaire pour ce secteur. Le site porte la désignation de quartier dans le transect du secteur urbain intérieur, qui fait l'objet d'une surzone des quartiers évolutifs. Il porte également la désignation de zone institutionnelle polyvalente dans le Plan secondaire du secteur de Sherbourne et de New Orchard, qui autorise pour les bâtiments des hauteurs pouvant atteindre 16 étages, sous réserve d'une zone de transition de 30 mètres. Les aménagements résidentiels sont autorisés dans les cas où les aménagements institutionnels servant la collectivité sont toujours prépondérants.

Le personnel de la Ville recommande d'approuver ces demandes d'après les justifications suivantes :

- La politique 18) du Plan secondaire du secteur de Sherbourne et de New Orchard permet d'aménager sur ce site d'autres vocations, dans les cas où il est démontré que la majorité des aménagements proposés des services communautaires institutionnels, notamment des garderies, des églises, des résidences pour retraités, des centres communautaires, des jardins et des logements abordables. L'immeuble de 6 étages proposé comprend 66 logements abordables aménagés en partenariat avec l'Ontario Aboriginal Housing Services et enrichit le site d'une nouvelle vocation au service de la communauté institutionnelle et d'un immeuble de grande hauteur qui n'occupe qu'une modeste partie sous-utilisée du site; le personnel est convaincu que la plus grande partie du site reste dotée d'aménagements institutionnels au service de la collectivité.
- Les aménagements de moyenne et de grande densités sont autorisés dans le transect du secteur urbain intérieur sous réserve de la proximité des transports

en commun rapides et de la disponibilité des services (politiques de la sous-section 5.2.1). En vertu du Plan secondaire, les bâtiments pouvant atteindre 16 étages de hauteur sont aussi autorisés (politique 17). Le projet d'aménagement proposé se situe à moins de 200 mètres à pied de la station Sherbourne projetée de l'O-Train et est très proche d'un ensemble de commodités comme le centre commercial Carlingwood, la promenade Kichi Zībī Mīkan, les établissements commerciaux donnant sur le chemin Richmond, ainsi que différents parcs et espaces verts. Les immeubles de 6 et de 16 étages proposés sont conformes à l'autorisation de la hauteur maximum dans le Plan secondaire, sont très proches des transports en commun et permettent d'aménager des quartiers du quart d'heure complets.

- Le projet d'aménagement proposé porte sur une proposition intercalaire dans le campus de la Maison unitaire existante. Le Plan secondaire oblige à évaluer le site dans son intégralité dans le cadre des projets d'aménagement à réaliser (politique 20). Le campus existant comprend la First Unitarian Congregation of Ottawa, un lieu de culte doté d'une architecture exceptionnelle, l'Unitarian House of Ottawa, une résidence pour retraités à but non lucratif et un immeuble d'appartements pour les personnes âgées, ainsi que le River Parkway Children's Centre. Ce campus comprend aussi d'autres aménagements importants comme une entrée de cour interne et un trottoir donnant accès à tous les aménagements existants, à des arbres matures et à un paysagement sur la lisière nord et la lisière ouest, ainsi qu'à un jardin central doté d'arbres matures. Le site proposé pour les bâtiments permettra de protéger la zone paysagée existante à l'ouest et le jardin central, de protéger l'entrée de cour existante et les voies d'accès aux immeubles, de rompre la volumétrie cumulative des bâtiments de grande hauteur existants et projetés donnant sur le chemin Richmond, sans déroger à l'importance architecturale et aux panoramas de la First Unitarian Congregation of Ottawa le long de la promenade Kichi Zībī Mīkan.
- La compatibilité et la transition avec la collectivité de faible hauteur des environs font partie des considérations essentielles de ce projet d'aménagement de grande hauteur. Le projet proposé assure la transition voulue en augmentant la marge de retrait minimum de 7,5 mètres pour la porter à une marge comprise entre 10,5 et 14 mètres, ce qui permet de protéger la zone tampon paysagée mature le long de la ligne de lot ouest. L'immeuble de grande hauteur proposé comprend plusieurs marges de recul au-dessus du podium du bâtiment, ainsi qu'une superficie au sol maximum de la tour de 750 mètres carrés. La variation

de la hauteur et de la marge de retrait entre l'immeuble de 6 étages et l'immeuble de 16 étages permet aussi de créer une variation dans l'esthétique et d'amortir l'impact de la volumétrie cumulative dans la collectivité des immeubles de faible hauteur. Les habitations existantes donnant sur l'avenue Aylen sont aussi réalisées sur des lots profonds, dont la profondeur moyenne est de 50 mètres, et selon des marges de retrait de cour arrière comprises entre 16 et 27 mètres. Les marges de retrait minimums entre les immeubles de grande et de moyenne hauteurs proposés et les habitations existantes s'établissent respectivement à 35 et à 26 mètres, ce qui assure une séparation raisonnable des bâtiments. Enfin, l'orientation des bâtiments proposés minore les impacts de l'ombre pour la collectivité des bâtiments de faible hauteur voisine. D'après la politique-cadre du Plan secondaire, le campus permet d'aménager un certain nombre d'immeubles de grande hauteur à la condition de respecter la zone de transition de 30 mètres. Les immeubles de 6 et de 16 étages proposés, même s'ils sont rapprochés de la ligne de lot à l'ouest, assurent une transition appropriée grâce à leurs qualités dans la variation de la volumétrie, les marges de recul, la superficie d'étage minimale et la protection de la zone tampon paysagée mature existante.

Autres questions

L'immeuble de 6 étages comprendra un total de 66 logements abordables, qui seront aménagés en partenariat avec l'Ontario Aboriginal Housing Services (OAHS). L'OAHS est un organisme fournisseur de services de logement qui se consacre à l'aménagement des logements à offrir à la communauté autochtone, afin de corriger les lacunes et d'assurer l'intégration culturellement appropriée et responsable des services dans le continuum du logement. L'OAHS a pour objectif d'offrir différentes options de logement répondant aux besoins des particuliers et des familles dans le continuum du logement.

Consultation du public

La notification et la consultation du public se sont déroulées conformément à la Politique sur les avis publics et sur la consultation publique approuvée par le Conseil municipal pour les demandes d'aménagement.

Deux séances d'information publiques, organisées par Theresa Kavanagh, conseillère municipale, ont eu lieu le 28 juin 2023 et le 4 avril 2024. Le requérant, le promoteur et la conseillère du quartier ont participé à ces séances. Le requérant et les associations

communautaires ont également participé à différentes séances de sensibilisation, visites des lieux et réunions.

On a adressé au personnel de la Ville environ 200 commentaires dans le cadre du processus d'examen de ce projet d'aménagement. Dans les commentaires, il a essentiellement été question des motifs d'inquiétude à propos de la transition avec les propriétés attenantes sur l'avenue Aylen, de l'accès des automobilistes et des piétons au site, des arbres abattus et des incidences négatives sur le jardin central existant et de l'absence de places de stationnement. On a aussi adressé au personnel plusieurs commentaires favorables à l'aspect de la proposition se rapportant aux logements abordables.

BACKGROUND

Site location

30 Cleary Avenue

Owner

Theia Partners

Applicant

Tyler Yakichuk, Fotenn Planning + Design

Description of site and surroundings

The subject property is located at the northern extent of Cleary Avenue, north of Richmond Road, at the boundary of the McKellar Park and Woodroffe North communities. The site is an irregular, triangular-shaped parcel with a total area of approximately 2.2 hectares and is currently occupied by the Unitarian Campus which includes a four-storey retirement home, a two-storey church, a one-storey daycare centre and associated surface parking. There are also many existing trees on site, including a garden in the centre of the site, as well as additional trees and vegetation along the western and northern property lines.

Surrounding uses include National Capital Commission (NCC) lands to the north that contain a wooded area and a multi-use pathway along the Kichi Zibi Mikan Parkway; a mix of residential and commercial uses, ranging from low-to high-rise, with frontage on Richmond Road to the south and east; and a low-rise residential neighbourhood composed primarily of low-rise dwellings to the west. The Sherbourne O-Train Station,

currently under construction, is located on Richmond Road approximately 200 metres walking distance south of the site.

Summary of proposed development

The proposed development includes the construction of six- and 16-storey residential buildings containing a total of 214 dwelling units. The proposed buildings are in the northwestern portion of the site, which is currently occupied by surface parking lots. No existing buildings are to be demolished. Both buildings and their underground parking will be accessed by an existing driveway extending from Cleary Avenue. There is currently a temporary roadway access for the site from the eastern lot line of 809 Richmond Road. This is a temporary construction access as part of the LRT construction and will be closed later this year when Cleary Avenue is reinstated.

The proposed six-storey Ontario Aboriginal Housing Services (OAHS) Building is located directly abutting the NCC lands to the north and abuts the rear yards of several low-rise residential dwellings fronting Ayleen Avenue. The building contains 66 affordable housing units in partnership with OAHS. The Market Building is located directly south of the OAHS Building and contains 148 units. The proposed building has a total height of 16-storeys including a four-storey podium.

A total of 155 motor vehicle parking spaces, including 111 resident parking spaces and 44 visitor spaces, are proposed as part of the development. The resident parking spaces are attributed to the Market Building, at a rate of 0.75 spaces per unit. The visitor parking includes 30 spaces allocated to the Market Building and 14 spaces dedicated for the OAHS Building. The underground parking garage entrance is located south of the Central Garden. The limited surface parking being provided is to be accessed from the shared driveway. A total of 219 bicycle parking spaces are also proposed as part of the development, doubling the minimum zoning requirement.

Summary of requested Official Plan Amendment

The Official Plan Amendment, as detailed in Document 2, seeks to replace Policy 17(a) of the Sherbourne and New Orchard Secondary Plan in Volume 2A – Urban Secondary Plans in order to amend the requirement for a transition zone. This policy currently states that:

“The portions of the lot adjacent and closest to a residential zone must comprise of a transition zone, generally 30 metres in depth, which includes a 7.5 metre setback, measured from the residential lot line, with a low-rise built form.”

The applicant is proposing to replace the policy with the following:

“The portions of the lot adjacent and closest to a residential zone must include a minimum setback of 10.5 metres for a mid-rise building and 14 metres for a high-rise building, as measured from a residential lot line with low-rise built form.”

Summary of requested Zoning By-law Amendment

The site currently features an array of applicable zonings, including:

- Minor Institutional, Subzone A, Urban Exception 314 and 315, with maximum building heights ranging from 13.8 metres to 25 metres (I1A[314] H(13.8), I1A[314] H(18), I1A[315] H(18), and I1A[314] H(25));
- Residential Second Density, Subzone F (R2F); and
- Traditional Mainstreet Zone, maximum building height of 15 metres (TM H(15)).

Most of the site is zoned Minor Institutional, which permits a range of community and institutional uses.

The Zoning By-law Amendment seeks to rezone and consolidate the zoning on the site to Minor Institutional, Subzone A, Urban Exception XXXX, Schedule YYY, subject to a holding symbol (I1A[XXXX] SYYY-h). Building setbacks, stepbacks and maximum heights are established through Schedule YYY. The proposed site-specific exception addresses the following:

- Permits mid- and high-rise apartment dwellings as permitted uses on the site.
- Establishes that the lands subject to the zoning by-law amendment are to be considered one lot for zoning purposes.
- Permits indoor amenity area to be located within the mechanical penthouse level of the proposed tower. Size of the amenity area is limited to a maximum cumulative gross floor area of 200 square metres and maximum height of 4.5 metres.
- Carry forward the existing exception that at least 143 motor vehicle parking spaces must be provided as part of the development.
- Holding symbol to restrict development until tree retention, fire flow demand analysis, and watermain crossing easement and design are all confirmed and approved through a future Site Plan Control application.

DISCUSSION

Public Consultation

For this proposal's consultation details, see Document 6 of this report.

Official Plan designation(s) and policies

Pursuant to Schedules A and B2 of the Official Plan, the subject site is designated as Neighbourhood and is within the Inner Urban Transect. The site is also subject to the Evolving Neighbourhoods Overlay.

Section 2.2.1 Intensification and Diversifying Housing Options and Section 3 – Growth Management Framework, and Section 4.2 Housing

The sections provide direction on how growth will take place in Ottawa. Policies within these sections direct residential growth within the built-up urban area with existing municipal infrastructure and to support the evolution toward 15-minute neighbourhoods, provide housing options for larger households, and improve public amenities and services. The target is to have the majority of new units be provided through intensification within the existing urban area. The Official Plan also places an emphasis on maximizing the ability to provide affordable housing.

Section 2.2.3 Energy and Climate Change and 4.8 Natural heritage, Greenspace and the Urban Forest

Sections 2.2.3 and 4.8 encourage higher-density development in areas that are close to transit, promoting compact urban built form with a mix of land uses and housing options to ensure both energy efficiency and sustainable pattern of development over the long term. The sections also aim to protect and enhance tree canopy as well as mitigate urban heat island effect in new developments.

Section 2.2.4 – Health and Inclusive Communities and Section 2.2.5 – Gender and Racial Equity

Direction on how to create livable communities that foster health, inclusivity, and sustainability is detailed within Sections 2.2.4 and 2.2.5. The development of healthy, walkable, 15-minute neighbourhoods that feature a range of housing options, supporting services and amenities is encouraged. Further direction for development to contribute to a built environment that is designed to consider a diversity of experiences, meet needs across the lifespan and contribute to overall health and quality of life is also provided.

The City shall also continue to understand and address the specific housing needs of Indigenous peoples.

Section 4.1 – Mobility

The policies in Section 4.1 recognize the fundamental connection between land use planning and transportation, specifically as it relates to the City's ability to accommodate the projected population growth and intensification targets. The City will take a more deliberate approach to the allocation of space for automobiles and prioritize the role of public transit and active transportation to support the continued development of healthy, complete neighbourhoods that facilitate the ability of more households to live car-light and car-free lifestyles. The City will also aim to gradually reduce the total land area in the city consumed to provide surface parking, particularly in proximity to rapid transit.

Section 4.6 – Urban Design

This section contains policies that provide direction on how to enable the sensitive integration of new mid- and high-rise buildings to ensure Ottawa meets its intensification targets while considering liveability for all. Transition can be achieved through a variety of design considerations such as gradual change in height and massing, through the stepping down of buildings, and setbacks from low-rise properties. Considerations should be made based on both the existing and planned context of the area. High-rise buildings should be composed of a well-defined base, middle and top. Floorplate size should generally be limited to 750 square metres for residential buildings. Space at-grade should be provided for soft landscaping and trees.

Section 5.2 – Inner Urban Transect

Within the Inner Urban Transect, mid- to high-rise development is permitted subject to proximity to rapid transit, appropriate massing and building heights, and adequate water, sewer, and stormwater capacity.

Section 6.3 – Neighbourhoods

This section provides direction for development on lands within the Neighbourhood designation. Building heights above low-rise are permitted where an existing secondary plan allows for greater building heights.

Section 12.3 – Establish direction for content of Area-Specific Policies

Section 12.3 establishes the criteria that requests for Official Plan Amendments are to be reviewed against. The proposal must demonstrate how the proposed development

meets the intent of the Official Plan, and contributes to goals related to sensitive integration of infill, creating a range of housing options, tree retention, supporting the shift to transit and active transportation modes, among others.

Other applicable policies and guidelines

Sherbourne and New Orchard Secondary Plan

The [Sherbourne and New Orchard Secondary Plan](#) provides the strategic planning direction to guide future development and redevelopment of lands that are in close proximity to Sherbourne and New Orchard O-Train Stations. The subject site is designated Institutional Mixed-Use on Schedule A – Designation Plan. A through block pedestrian and cycling connection, connecting Sherbourne Station to the NCC pathways to the north, is shown on Schedule B – Public Realm Plan. High-rise buildings up to 16-storeys are permitted on-site. The portion of the lot adjacent to a residential zone must include a 30-metre transition zone.

Transit-Oriented Development Guidelines

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

Urban Design Guidelines for High-rise Buildings

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

Planning Rationale

Residential Land Use and Affordable Housing

The proposed residential land use conforms to the policy direction within the Sherbourne and New Orchard Secondary Plan. The subject site is designated as Institutional Mixed-Use Area which requires that the majority of uses be institutional

community serving uses, such as day care; church; retirement residential; community centre; garden; and housing with emphasis on affordable (Policy 18).

As part of the proposed development, most of the site, currently occupied by a day care, church, and retirement home, will remain unchanged. The zoning by-law amendment aims to consolidate the existing multiple zoning designations into a single Minor Institutional zone. This change will maintain the current permissions for a range of institutional uses on the site, ensuring that the existing facilities can continue to operate as they are. A site-specific schedule will outline the location of the mid- and high-rise residential buildings. The proposed mid-rise building is considered an institutional community serving use as identified by the Secondary Plan and is listed in the permitted uses above given it is proposed for affordable housing.

The provision of affordable housing is a key priority for this term of Council. The six-storey building will contain a total of 66 affordable housing units in partnership with Ontario Aboriginal Housing Services. OAHS is a housing service provider that focuses on the provision of housing to the Indigenous Community, with a goal to address gaps and ensure culturally appropriate responsible integration of services within the housing continuum. OAHS seeks to provide a variety of housing options that suit individual and family needs along the housing continuum.

With the high-rise building only occupying a small, underutilized portion of the site, staff is satisfied that most of the site remains developed with institutional community serving uses, and the proposed new residential mid- and high-rise buildings conform to the policy direction within the Secondary Plan.

Built Form

Within the City's Official Plan, the Inner Urban Transect is generally planned for mid- to high-density development subject to proximity to rapid transit and availability of infrastructure services (Policy 5.2.1). Under the Sherbourne and New Orchard Secondary Plan, the site's Institutional Mixed-Use Area designation allows high-rise buildings up to 16-storeys (Policy 17).

The subject site is located approximately 200 metres walking distance and 110 metre direct measurement distance from the Sherbourne O-Train Station on Richmond Road, which is currently under construction. As part of a future Site Plan Control application, the applicant will be required to work with its abutting neighbour and make best efforts to secure a direct pedestrian and cycling connection from Richmond Road near the new O-Train station to the Kichi Zibi Mikan Parkway for both the Unitarian Campus, its future

residents, and the greater community through a public access easement. The subject site is also located near an array of amenities such as Carlingwood Shopping Centre, Kichi Zibi Mikan Parkway, commercial uses along Richmond Road and various parks and open spaces. A Serviceability Study has been submitted in support of the proposed development demonstrating that adequate services are available to service the development subject to detailed design through a Site Plan Control application. There is a small communal amenity area proposed as a permitted projection above the maximum height. The space is combined and buffered by the mechanical penthouse with no overlook to the low-rise homes to the west.

The proposed six and 16-storey buildings align with Official Plan policies, conform to the maximum height permission within the Secondary Plan, are in close proximity to transit, and support the creation of complete 15-minute neighbourhoods.

Building Location

The proposed development is an infill proposal within the existing Unitarian Campus. The Secondary Plan requires any development project to assess the site in its entirety (Policy 20). The campus and its surrounding uses include:

- First Unitarian Congregation of Ottawa. A place of worship located at the north-east corner of the campus. The building features a unique architectural design and is listed within the City's Heritage Register. Given the historic design of the church, the proposed development location and design should have a complementary relationship and ensure the church building will continue to be the character-defining element on-site.
- Unitarian Housing is a four-storey, affordable, not for profit, retirement residence and senior apartment building with 113 units.
- River Parkway Childcare Centre is a one-storey building located at the southwest corner of the Campus. The campus itself contains an internal driveway and sidewalks that provide access to the existing buildings and its associated surface parking areas. An important consideration is to design and situate the proposed development to ensure continued access for all the existing uses on-site.
- There are existing mature trees and landscaping along the north and westerly boundary of the campus. Within the center of the campus, there is also an existing garden with mature trees. The City's Official Plan aims to protect and enhance the tree canopy coverage as part of any new developments.

- Along Richmond Road south of the campus, there are existing and future high-rise buildings ranging in heights up to 24-storeys. Behind the buildings within the southerly boundary of the site, there is a city backbone watermain that will prohibit any development in its vicinity. Furthermore, the Secondary Plan indicates that high-rise development within the campus should be located in a position with minimal view impacts on adjacent high-rises along Richmond and be closer to the NCC corridor that will break up the cumulative massing along Richmond Road.
- Beyond the western limit, there is an existing low-rise residential neighbourhood, with large lot depths and deep rear yard setbacks, backing onto the campus. Another key consideration is having suitable transition for any new development in relation to its neighbouring low rise-built form.
- Having consideration of all the different elements and constraints, the applicant produced various development scenarios and ultimately proposed to place the buildings along the northwestern corner of the site over an under-utilized surface parking area. The proposed building location will allow for the protection of the existing westerly landscape area and the central garden, maintain the existing driveway and building accesses, break up the cumulative massing of high-rises along Richmond, and not detract from the architectural significance and views for the First Unitarian Congregation along the Kichi Zibi Mikan Parkway. Staff is satisfied that the proposed buildings are within a suitable location and fit well within the other elements of the existing campus.

Building Transition

One of the key considerations for high-rise development is its compatibility and transition to the abutting low-rise community. Within the Secondary Plan, there is a requirement for the portion of the lot adjacent to a residential zone to be comprised of a transition zone generally 30 metres in depth. The policy further indicates that the transition zone also needs to include a 7.5 metre setback from the residential lot line, and that within the transition zone, only low-rise built form is permitted. 'Transition zone' is not a defined term within the Secondary Plan or the Official Plan and is subject to interpretation. It is most often measured from the property line; however, it can also be interpreted to include parts or the whole of the rear yard for the adjacent homes along Aylen Avenue. The purpose of this Official Plan amendment is to amend this policy to allow for a clear and definable setback from the shared property of 10.5 metres for the

mid-rise building and 14 metres for the high-rise building. Staff reviewed the building transition and design through the following considerations:

- The proposed development is within 200 metres walking distance to the Sherbourne O-Train station. The Official Plan directs the highest density and height in proximity to rapid transit. 30 Cleary Avenue and homes along Ayleen Avenue are both subject to the Evolving Neighbourhood Overlay, which applies to areas that are in a location and stage of evolution that create the opportunity to achieve an urban form in terms of use, density, built form and site design. Along Richmond Road, there are already a variety of existing and future high-rise buildings, up to 24-storeys in height, that form part of the existing and planned context of the area.
- Based on the Secondary Plan, a low-rise built form is permitted within 7.5 metres of the property lot line. The proposed development has a building setback of 10.5 metres for the six-storey, mid-rise building and 14 metres for the high-rise building. This increase in setback to the building will allow for the retention of the landscape area currently buffering the rear yard of homes along Ayleen Avenue. The proposed building footprint and underground garage are all located outside of critical root zones for the trees along the western landscape area, the northerly NCC owned land, as well as the central garden. As part of the holding provision in the proposed zoning, there is a requirement to complete a Tree Conservation Report and the collection of associated securities to ensure the retention of mature trees along this landscape buffer. New tree plantings will be finalized as part of the Site Plan application. Although the high-rise portion of the building is proposed to be located closer to the lot line, the increased setback for the base of the building allows for the retention of mature trees which will contribute to the transition between the low-rise homes and the proposed development.
- When reviewing the overall Unitarian Campus and its development options, subject to the 30-metre transition and required tower separate, the campus can accommodate several 16-storey, high-rise buildings in close proximity to the existing residential homes to the west. When evaluating the proposed development against the as-of-right development allowance, the proposed variation in height, setbacks and overall design of the two buildings mitigates the massing impact to the low-rise community west of the site. The proposed tower responds to the Official Plan policies in Section 4.6.6 and the Urban Design Guidelines for High-rise Buildings with a well-defined base, middle and top, as well as a further stepback of 2 metres above the fourth storey and an additional

3.8 metres above the fifteenth storey. Furthermore, the tower floorplate size is limited to a maximum of 750 square metres.

- The existing properties on Aylen Avenue are deep lots with an average lot depth of approximately 50 metres and provided rear setbacks ranging from approximately 16 to 27 metres. The largest existing rear yard setbacks of 21 to 27 metres abut the portion of the subject site where the proposed 16-storey tower is located, with the proposed six-storey building abutting the Aylen Avenue properties with smaller rear yard setbacks around 16 to 18 metres. The resulting minimum setback from the proposed high-rise and mid-rise buildings and existing homes are approximately 35 metres and 26 metres, respectively, which provides a reasonable building-to-building separation distance.
- The two buildings are being proposed with a north-south orientation to minimize shadow impacts and allow access to natural light for the adjacent low-rise neighbourhood community. A shadow study was submitted as part of the applications evaluating the shadowing impacts of the proposed development on surrounding areas. The study demonstrates that the slim tower and setback from the abutting properties results in minimal impacts on the adjacent low-rise neighbourhood to the west. Any shadowing impact quickly moves through the area following the early morning period and afternoon period for the areas to the west and east respectively. In comparison to the as-of-right development scenario as outlined by the Secondary Plan, there is minimal to no new shadowing impact.

Having considered the above, staff concludes that the proposed development provides suitable transition to the low-rise homes and does not produce additional undue adverse impact to the neighbouring community in comparison to the as-of-right development scenario as envisioned by the Secondary Plan.

Site Circulation

As part of the circulation process, comments were received concerning the single point of vehicle access for the proposed development via Cleary Avenue. Currently, there is a temporary access from Richmond Road to the Unitarian Campus via the private property of 809 Richmond Road. This is a temporary construction detour road used due to LRT construction and its associated closure of Cleary Avenue. The detour is anticipated to be closed later this year when Cleary Avenue is reopened for travel. There is no proposal by the applicant to purchase this land, nor can the City obligate a developer to purchase another private development parcel. Therefore, staff reviewed

the development application presented before the City with a single vehicle access for the development along Cleary Avenue.

A Transportation Impact Assessment was provided as part of the development application and concluded that the current Cleary Avenue and the associated intersection of Cleary Avenue and Richmond Road can service the proposed development at an acceptable level of service. This report was reviewed by a City Transportation Engineer who is satisfied with the recommended conclusion. The application was circulated to the City's emergency services staff and no concerns were raised as part of the circulation in regard to emergency service access.

As part of the future Site Plan Control application, the applicant will be required to use best efforts to collaborate with the neighbouring property to provide a pathway connection from Richmond Road, through the campus, ultimately connecting to the Kichi Zibi Mikan Parkway. The proposed connection will be able to create an alternative access for pedestrians and cyclists and will support the City's strategic direction of prioritizing the role of public transit and active transportation to support the continued development of healthy, complete neighbourhoods that facilitate the ability of more households to live car-light and car-free lifestyles.

Additional details associated with the proposed roadway design, underground parking ramp design, traffic calming and sidewalk connectivity through the campus will be further refined as part of the Site Plan process.

Conclusion

The proposed development conforms to the policies within the City's Official Plan, the Sherbourne and New Orchard Secondary Plan and the various design guidelines.

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.

CONSULTATION

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

Approximately 200 comments have been received through the development review process. Comments mainly noted concerns with transition to the abutting properties on Aylen Avenue, vehicular and pedestrian access to the site, loss of trees and negative impacts to the existing central gardens, and lack of parking. Several comments in support of the affordable housing element of the proposal were also received.

COMMENTS BY THE WARD COUNCILLOR(S)

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

I appreciate the work of the Unitarian Church in using their property for housing in partnership with Ontario Aboriginal Housing Services (OAHS). The proximity to the property line of residents on Aylen Street has been a contentious issue. There has also been concern from the residents of Unitarian House on the traffic that will be coming to the campus, particularly after 40 years of their existence. The Unitarian House residents have petitioned for a separate construction route to be added while this project is being completed. This would require the Unitarian Church leadership to pursue an arrangement with the former Christie restaurant property on Richmond Road. The City of Ottawa, through the Sherbourne/New Orchard Secondary Plan, has already approved a pedestrian/cycle path through this same Christie property to assist residents and childcare users to gain access to Richmond Road and the future New Orchard LRT station. Building housing near transit is essential to creating a sustainable and efficient city. However, I ask the Unitarian Congregation and Theia Partners continue to work with the neighbouring Woodroffe North homes to ensure as little disruption to their community as possible.

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 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.

The proposed development requires a watermain connection to Richmond Road to achieve adequacy of services. One of its connections will require a crossing over a major backbone watermain running along the shared property line with lots along Richmond Road. The applicant is required to demonstrate how the watermain crossing will be achieved without impacting critical infrastructure and receive approval for the design and location of the crossing from Asset Management branch prior to Site Plan Control approval. The Owner is further required to obtain an easement over the abutting property along Richmond to permit the watermain connection through these lands to Richmond Road. The easement is a matter between private property owners, and the City will not be involved in any discussions on the matter. A holding zone provision has been included in the zoning by-law amendment to ensure this matter is addressed prior to development.

FINANCIAL IMPLICATIONS

In the event the applications are refused and appealed, it would be necessary to retain an external planner. This expense would be funded from within Planning Services operating budget. A Holding Symbol will be implemented to restrict development until tree retention, fire flow demand analysis, and watermain crossing easement and design are all confirmed and approved through a future Site Plan Control application. Collection of associated tree protection securities and costs relating to the watermain crossing easement are to be borne by the applicant.

ACCESSIBILITY IMPACTS

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

ENVIRONMENTAL IMPLICATIONS

The site has been designed to retain mature trees on the site, including the trees located within the existing central gardens and along the shared property line with the Aylen Avenue and NCC properties. A holding zone provision has been included in the zoning by-law amendment outlining the requirement for the approval of a Tree Conservation Report demonstrating that the trees can be retained prior to Site Plan Control approval. The Owner will be further required to provide additional securities for the trees identified in the approved Tree Conservation Report, above typical City standards, to ensure that the mature trees on site are retained.

The zoning by-law amendment also seeks to increase the minimum required setback between the proposed buildings and the rear property lines of the Ayles properties. The current zoning requires a minimum setback of 7.5 metres in this location, whereas the proposed amendments would increase this minimum setback requirement to 10.5 metres for the six-storey building and 14 metres for the 16-storey building. No buildings are permitted in this increased setback area, thereby allowing preservation of existing trees and vegetation on this portion of the site.

INDIGENOUS GENDER AND EQUITY IMPLICATIONS

The proposed development includes a dedicated affordable housing building containing a total of 66 units provided in partnership with Ontario Aboriginal Housing Services. OAHS is a non-profit housing provider with a focus on the Indigenous community. It has a mandate to provide safe and affordable housing to urban and rural First Nation, Inuit and Métis people living off-Reserve in Ontario.

The applicant has engaged with OAHS staff to improve the cultural sensitivity of the development and exterior amenity spaces. The location of the OAHS building is proposed adjacent to the NCC lands to respect and reflect the historical connection to Ottawa river and the natural shoreline area.

The site design will be further refined to reflect the cultural sensitivities of the user demographics, including plantings, naming opportunities, and other measures to further reconciliation, through the future Site Plan Control application.

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.
- Is green and resilient.

APPLICATION PROCESS TIMELINE STATUS

The statutory 120-day timeline for making a decision on these applications under the *Planning Act* will expire on October 18, 2024.

SUPPORTING DOCUMENTATION

Document 1 Location Map / Zoning Key Plan

Document 2 Details of Recommended Official Plan Amendment

Document 3 Details of Recommended Zoning

Document 4 Zoning Schedule 'YYY'

Document 5 Proposed Site Plan and Rendering

Document 6 Consultation Details

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.

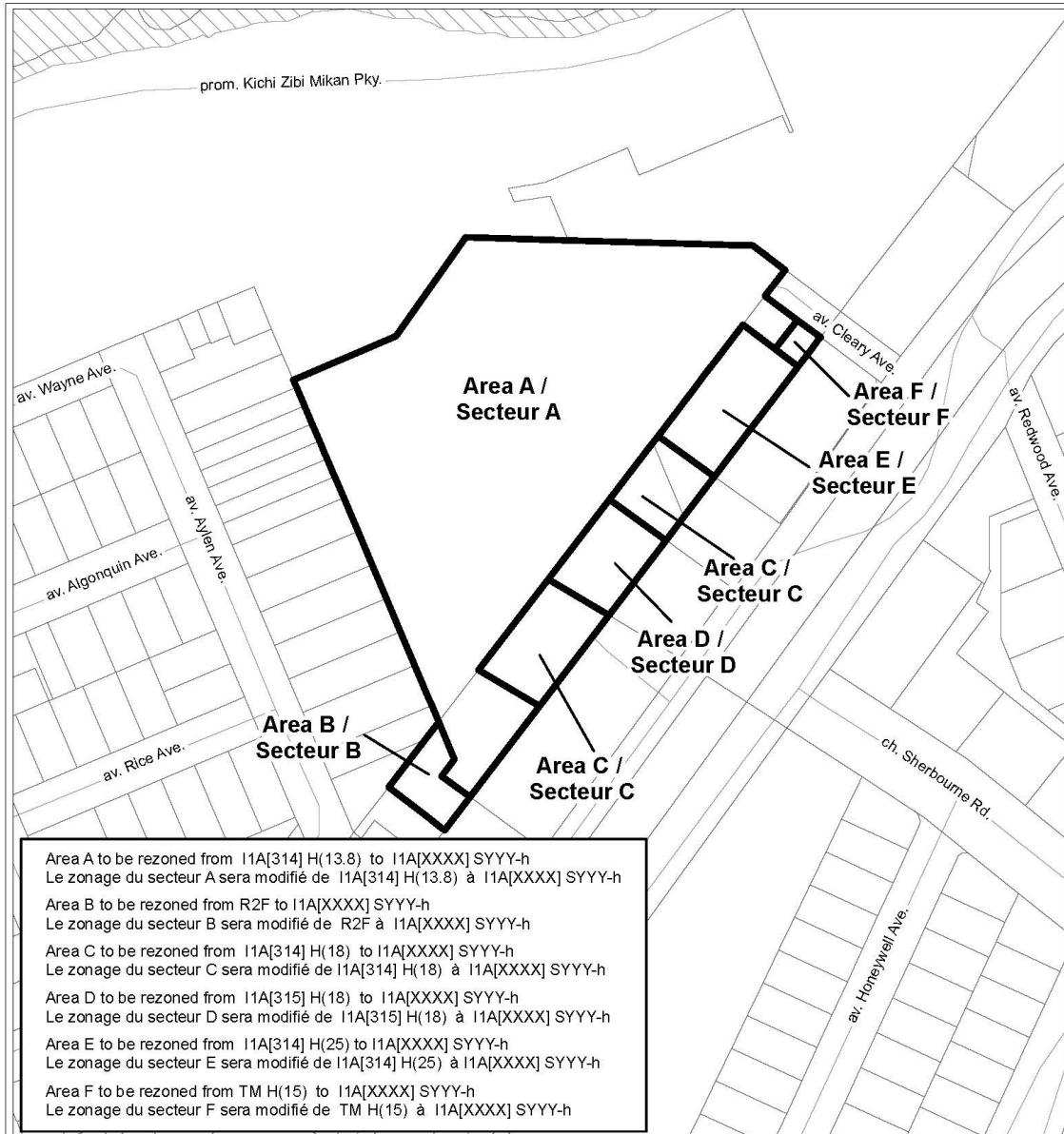
Zoning and Interpretations Unit, Policy and Community Planning Branch, Planning Services to prepare the implementing by-law and forward to Legal Services.

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	
D02-02-23-0076	24-0754-X	30 avenue Cleary Avenue	
I:\COV2024\Zoning\Cleary_30			
<small>©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.</small>		Existing Flood Plain (Section 58) / Plaine inondable (Article 58)	
<small>©Les données de parcelles appartiennent 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.</small>		Mature Neighbourhoods Overlay (section 139) Zone sous-jacente de quartiers établis (article 139)	
REVISION / RÉVISION - 2024 / 07 / 12		NOT TO SCALE	

Document 2 – Details of Recommended Official Plan Amendment

**Official Plan Amendment XX to the
Official Plan for the
City of Ottawa**

INDEX

THE STATEMENT OF COMPONENTS

PART A – THE PREAMBLE introduces the actual amendment but does not constitute part of Amendment No. XX to the Official Plan for the City of Ottawa.

PART B – THE AMENDMENT constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

PART A – THE PREAMBLE

PURPOSE

LOCATION

BASIS

PART B – THE AMENDMENT

INTRODUCTION

DETAILS OF THE AMENDMENT

IMPLEMENTATION AND INTERPRETATION

PART A – THE PREAMBLE

1. Purpose

The purpose of this amendment is to permit the development of a six-storey mid-rise residential building and a 16-storey high-rise residential building at 30 Cleary Avenue. High-rise buildings up to 16 storeys are permitted by the Secondary Plan, but subject to a transition zone, generally 30 metres in depth from the adjacent residential zone. The proposal is to replace Policy 17(a) of the Sherbourne and New Orchard Secondary Plan with setbacks as follows:

- 10.5 metres from abutting low-rise residential zone for mid-rise building; and
- 14 metres from abutting low-rise residential zone for high-rise building.

2. Location

The proposed Official Plan Amendment includes changes to a policy within the Sherbourne and New Orchard Secondary Plan that applies to lands designated as “Institutional Mixed-Use” on Schedule A – Designation Plan. 30 Cleary Avenue is the only property within the Sherbourne and New Orchard Secondary Plan study area with the Institutional Mixed-Use designation.

3. Basis

The amendment to the Official Plan was requested by the applicant to facilitate the development of a six-storey mid-rise residential building and a 16-storey high-rise residential building, on a portion of the subject site located within a required 30-metre transition zone where only low-rise buildings are permitted.

PART B – THE AMENDMENT

1. Introduction

All of this part of this document entitled Part B – The Amendment consisting of the following text constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

2. Details

The following changes are hereby made to the Official Plan for the City of Ottawa:

- 2.1 Replace Policy 17(a) of the Sherbourne and New Orchard Secondary Plan in Volume 2A – Urban Secondary Plans, with the policy as follows:

“The portions of the lot adjacent and closest to a residential zone must include a minimum setback of 10.5 metres for a mid-rise building and 14 metres for a high-rise building, as measured from a residential lot line with low-rise built form.

3. Implementation and Interpretation

Implementation and interpretation of this Amendment shall be in accordance with the policies of the Official Plan for the City of Ottawa.

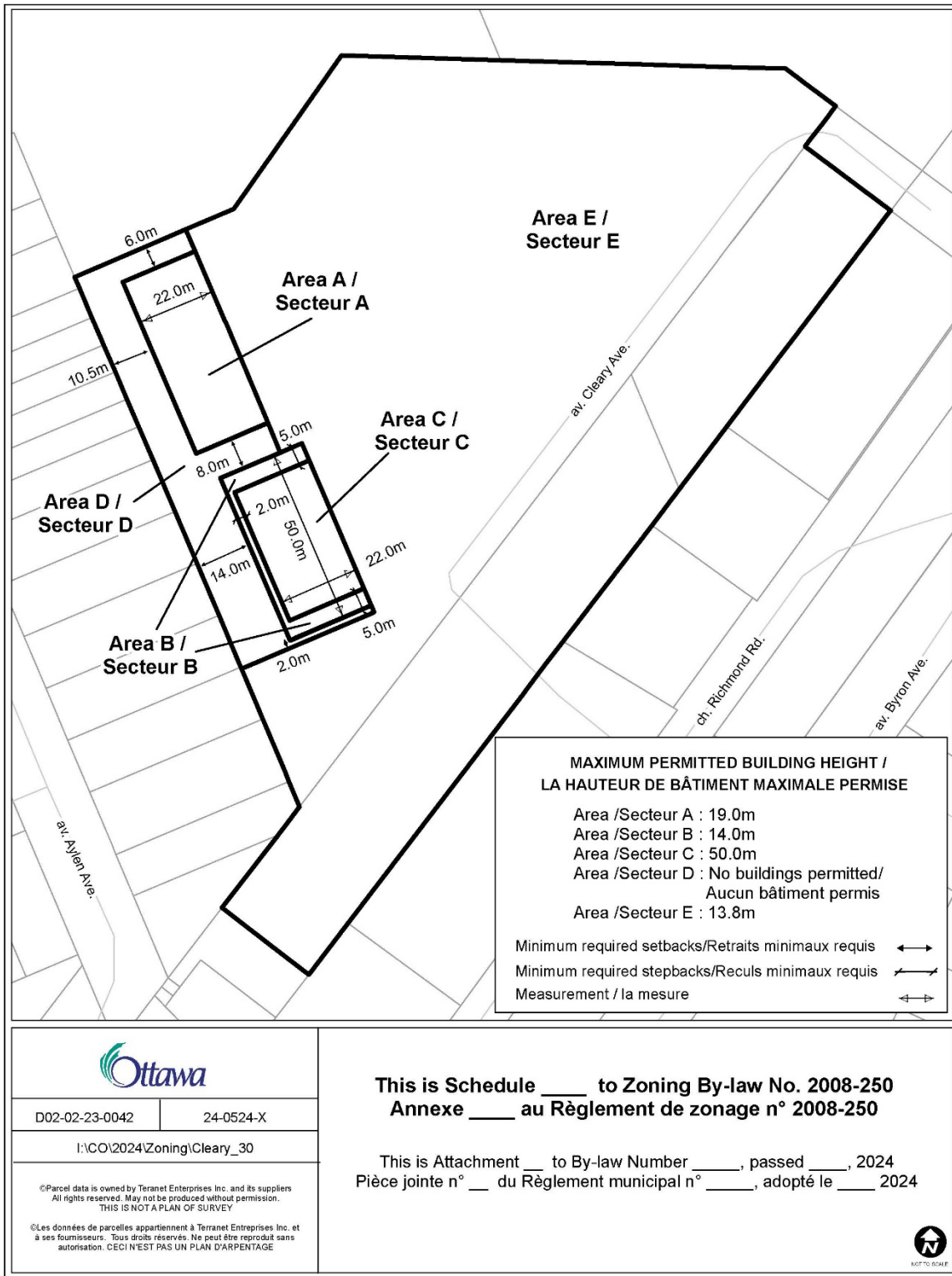
Document 3 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 30 Cleary Avenue:

1. Rezone the lands as shown in Document 1.
2. Add a new exception XXXX to Section 239 – Urban Exceptions with provisions similar in effect to the following:
 - a. In Column I, Exception Number, add the text “XXXX”
 - b. In Column II, Applicable Zones add the text “I1A[XXXX] SYYY-h”
 - c. In Column III, Additional Permitted Uses, add the text:
 - i. Apartment Dwelling, Mid Rise
 - ii. Apartment Dwelling, High Rise
 - d. In Column V, Provisions, add the text:
 - i. Lands with exception [XXXX] are considered one lot for zoning purposes.
 - ii. The portion of a high-rise building above four storeys is limited to a maximum total floor area per storey of 750 square metres.
 - iii. An indoor amenity area and associated washroom facilities is permitted as a permitted projection above the height limit in Area C on Schedule YYY to a maximum cumulative gross floor area of 200 square metres and a maximum height of 4.5 metres.
 - iv. Minimum 143 parking spaces must be provided.
 - v. Maximum heights and minimum setbacks are as per Schedule YYY.
 - vi. The Holding Symbol shall not be lifted until a Site Plan Control application is approved, including the execution of an agreement pursuant to Section 41 of the *Planning Act*, to the satisfaction of the General Manager, Planning, Development and Building Services Department, and will satisfy the following:

1. Approval of the Tree Conservation Report and collection of associated tree protection securities.
 2. Approval of the watermain crossing and connection to Richmond Road through the neighbouring property along Richmond Road. The applicant shall be further responsible for securing the associated easement, with all costs born by the applicant.
 3. Confirmation that the available watermain capacity is sufficient for the proposed design as it relates to fire protection purpose.
3. Amend Section 17 by adding a new schedule YYY as shown in Document 4.

Document 4 – Zoning Schedule ‘YYY’



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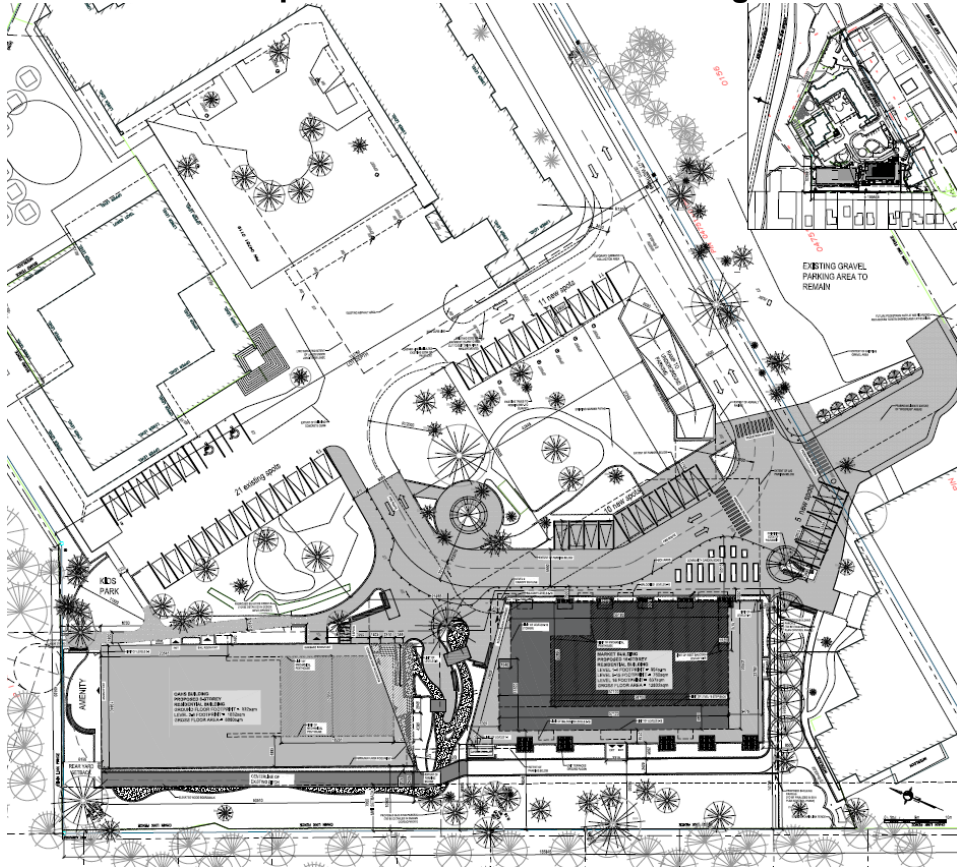
This is Schedule ____ to Zoning By-law No. 2008-250
Annexe ____ au Règlement de zonage n° 2008-250

This is Attachment __ to By-law Number ____, passed ____, 2024
Pièce jointe n° __ du Règlement municipal n° ____, adopté le ____, 2024



NOT TO SCALE

Document 5 – Proposed Site Plan and Rendering



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 Official Plan amendments. Approximately 200 comments have been received through the development review process.

Two Public Information Sessions, organized by Councillor Kavanagh, were held on June 28, 2023, and April 4, 2024. The applicant, developer, and Ward Councillor were present at the meetings. There were also a variety of outreach, site tours and meetings between the applicant and the community associations.

Public Comments and Responses

1. Supportive Comments

- Supportive of the provision of affordable housing units.
- Support intensification near the LRT.
- Support preservation of existing mature trees.
- Supportive of the partnership with Ontario Aboriginal Housing Services (OAHS) as it contributes towards reconciliation.
- Supportive of the architectural expression of the proposed buildings.

Response

The supportive comments are noted.

2. Green Buffer Zone

- Concerns that the green buffer requirement outlined in the 1982 Zoning By-law is not being respected.
- Concerns that the agreement made between Unitarian Church and Woodroffe North Community Association to have a landscape buffer strip ranging in width from 12 metres to 30 metres, along the westerly boundary of 30 Cleary Avenue (where the site abuts the Ayleen Avenue properties) is not being maintained.

Response

Legal staff have confirmed that the 1982 Zoning By-law Amendment is no longer in effect. Through subsequent city-wide zoning changes, no provisions related to the buffer zone were carried forward. Further, the 1994 agreement between First Unitarian Church and Woodroffe North Community Association is a private agreement and does not form part of the application review. However, the proposed building footprint and underground garage are all located outside of critical root zones for the trees along the western landscape area. As part of the holding provision in the proposed zoning, there is a requirement to complete a Tree Conservation Report and the collection of associated securities to ensure the retention of mature trees along this landscape buffer.

3. Built Form / Transition

- Concerns that the agreement made between Unitarian Church and Woodroffe North Community Association to have total building floor area limited to 1.25 times the lot area and building heights not exceed 13.8 metres is not being maintained.
- Concerns that the buildings heights are too tall.
- Concerns with the reduced transition zone and its impacts to existing properties along Aylen Avenue.
- Concerns with future development potential of the Aylen properties due to the proposed buildings being so close.
- Proposed buildings should be shifted further east and the 30-metre transition zone measured from the residential property line. The memorial gardens on the church site can be relocated to another area of the site.

Response

The proposed building heights align with the direction in the Sherbourne and New Orchard Secondary Plan. The agreement made between First Unitarian Church and Woodroffe North Community Association is a private agreement between two private owners and is not considered as part of the *Planning Act* application.

Staff are satisfied that an appropriate transition has been provided to the abutting low-rise properties on Aylen Avenue, as detailed in the above report. There is no impact to the redevelopment potential of the Aylen Avenue properties. The properties are

designated Neighbourhood in the Official Plan, which permits building heights up to four-storeys.

4. Density

- Concerns with the density of the proposed development.

Response

The proposed development aligns with the direction in the Sherbourne and New Orchard Secondary Plan regarding permitted land uses and building heights. The proposed development also supports the City's intensification and housing goals of directing growth within the existing built-up area, with the highest density in proximity to rapid transit.

5. Pedestrian and Cycling Access

- Want to ensure that there will be pedestrian and cycling access from the site to Richmond Road.

Response

As part of the Site Plan Application, the developer will be required to provide a publicly accessible pathway connection from Richmond Road to Kichi Zibi Mikan Parkway, as required by the Sherbourne and New Orchard Secondary Plan. The applicant is responsible for obtaining all necessary easements, approvals, and construction at their sole cost.

6. Transportation Impacts

- Concerns with singular vehicular access and its ability to adequately serve all uses relying on it for access including the proposed development, church, daycare, First Unitarian House and apartment building at 75 Cleary Avenue. A second access should be provided through 809 Richmond Road property to add redundancy in the event of a blockage on the Cleary Avenue access (i.e., ensure that emergency vehicle access is not interrupted), reduce instances of Cleary being used as a public turnaround thereby reducing traffic, and keep new traffic further away from the center of the site and the seniors' residence.
- Concerns with the width of proposed and existing driveways within the site. Based on the projected traffic, a local road cross section should be considered for the private on-site drive aisle. The City's standard local road cross section

includes an 8.5 metre wide paved driving surface, curbs, and a 1.8 metre width concrete sidewalk on at least one side. With a paved width of about 6.5 metre and a 1.5 metre sidewalk any further widening would negatively impact the slope along the south side of the drive aisle and the extensive gardens.

- Concerns that Cleary Avenue cannot support additional vehicle trips generated from the proposed development. The Transportation Association of Canada (TAC) Geometric Design Guide suggests that local residential roads should carry less than 1,000 vehicle/day. Cleary Avenue already exceeds this threshold in the absence of the development.

Response

Transportation staff have reviewed the Transportation Impact Assessment provided in support of the proposed development and are satisfied that the singular access is acceptable, and that Cleary Avenue can support the additional trips generated by the proposed development for the purposes of these amendments.

Staff acknowledge that 1000 vehicles per day is a general guideline for local residential roads. However, Cleary is an atypical local road as it directly connects to an arterial road and is therefore expected to carry more traffic than is considered typical for a local classification. Furthermore, Cleary Avenue connects to Richmond Road through a signalized intersection which contributes to an acceptable level of service for its operation.

A secondary access to the site is not possible as the site does not have additional frontage along Richmond Road. The temporary access through 809 Richmond Road is located on private property and will be closed once the works on the existing access on Cleary Avenue are completed. The City does not have a mechanism to require an applicant to purchase adjacent property for access.

7. Parking

- Concerns with the lack of vehicular parking being provided as part of the proposed development and loss of parking on the site. The proposed development will result in the loss of just over 100 parking spaces. There is no discussion in the TIA of how this will be addressed, particularly for daily daycare operations, regular church meetings, and periodic events like weddings, funerals, and concerts.

- Concerns with potential spill-over parking into surrounding neighbourhoods. Request for a permit-only parking program in surrounding neighbourhoods.

Response

The proposed development will not result in a zoning deficiency related to minimum required parking on site. The applicant has confirmed that after the completion of the project, the remaining campus will be able to have approximately 146 spaces, meeting the zoning minimum of 143 spaces. This minimum was carried forward from the previous exception to service the campus. In reviewing the current zoning requirement for uses in close proximity to LRT, there is no minimal parking requirement associated with the various uses.

Staff further acknowledge that the Official Plan directs that the City shall take a more deliberate approach to the allocation of space for automobiles and prioritize the role of public transit and active transportation. Specifically, Policy 2 of Section 4.1.4 directs that the City shall manage the supply of parking to minimize and to gradually reduce the total land area in the city consumed to provide surface parking near rapid transit stations. The subject site is within a 200-metre walking distance to the future Sherbourne O-Train Station.

Street parking infringements are a By-law Enforcement issue and can be reported to the City via 3-1-1. To establish a new street as permit only is also a process outside of the *Planning Act* application and the resident can contact Traffic Services for additional information.

8. Pedestrian and Cyclist Safety

- Concerns with pedestrian safety in the site and in surrounding area due to increased traffic resulting from the proposed development. In particular, there is a lot of elderly resident with high mobility needs.

Response

Additional details associated with the proposed roadway design, underground parking ramp design, traffic calming and sidewalk connectivity through the campus will be further refined as part of the Site Plan process.

9. Construction Impacts

- Concerns that additional traffic, noise and dust will negatively impact the existing resident and users of the childcare centre and Unitarian House.

- Concerned about construction traffic using Cleary Avenue.

Response

All construction must take place in accordance applicable by-laws, including the City's Noise By-law. A construction management plan will be prepared at the time of the Site Plan Control application to manage construction access and mitigate its associated impacts.

10. Environmental and Tree Protection

- Want to ensure the protection of the existing memorial garden at the centre of the site.
- Want to ensure protection of the western landscape buffer.
- Concerns that the proposed boardwalk cannot be accommodated without tree removal.
- Concerns with bird safety.
- Want to ensure wildlife are protected and more detailed analysis be undertaken.

Response

The proposed building footprint and underground garage are all located outside of critical root zones for the trees along the western landscape area, the northerly NCC owned land, as well as the central garden. As part of the holding provision in the proposed zoning, there is a requirement to complete a Tree Conservation Report and the collection of associated securities to ensure the retention of mature trees along this landscape buffer. The proposed boardwalk will be further evaluated as part of the Site Plan Control application to ensure tree retention will not be impacted.

As part of the Tree Conservation Report, the consultant concluded that there are no Urban Natural Features, Natural Environment Areas, or significant woodlands on or adjacent the site. Additional information relating to species at risk and habitat protection will be required at the time of Site Plan submission.

The proposed buildings will be reviewed against the City's Bird-safe Design Guidelines through a future Site Plan Control application to ensure negative impacts to birds are mitigated where possible.

11. Affordable Housing

- Concerns with increase crime associated with the affordable housing.

Response

The proposed development aligns with Official Plan direction to increase the supply of affordable housing throughout the city.

12. Shadowing Impacts

- Concerned about shadow impact to the existing central memorial gardens and the abutting homes on Aylen Avenue.

Response

The shadow study demonstrates that the slim tower and setback from the abutting properties result in minimal impacts on the adjacent low-rise neighbourhood to the west. Any shadowing impact quickly moves through the area following the early morning and afternoon period for the areas to the west and east respectively. In comparison to the as-of-right development scenario as outlined by the Secondary Plan, there is minimal to no new shadowing impact.

13. Wind Impacts

- Concerns with potential wind impacts resulting from the proposed development.

Response

A Pedestrian Level Wind Study has been submitted in support of the proposed development, which confirms that most grade-level areas within and surrounding the subject site are predicted to experience conditions that are considered acceptable for the intended pedestrian uses throughout the year – i.e., conditions over surrounding sidewalks, existing surface parking, existing parking lots, existing walkways, laneway, surface parking, walkways, and in the vicinity of building access points. The proposed development will result in windier conditions over the Memorial Garden to the east of the subject site; however, the wind levels are still considered acceptable for use.

14. Unit Mix

- Request for greater number of two- and three-bedroom units.

Response

The unit mix will be finalized as part of the Site Plan Control application.

15. Stormwater Management

- Concerns about stormwater drainage impact of the proposed development on properties along Aylen.

Response

Applicant is required to demonstrate that there is no drainage impact to adjacent properties as part of the Site Plan Control application. Stormwater within the development is to be controlled on-site.

16. Blasting

- Concerns about any blasting impacts.

Response

If blasting is required, the applicant will have to adhere by all Provincial and City regulations, including the preparation of pre-blast survey notification to adjacent owners, and associated safety and inspection protocols.

17. Others

- Concerns with loss of privacy.
- Concerns with loss of views.
- Concerns that the proposed development will result in a decrease in property values for nearby properties.

Response

The proposed development generally aligns with the policy direction in the Secondary Plan and Official with regard to building height and location. There is no anticipated undue adverse impact in comparison to the as-of-right development allowance.

Property value is not a criterion considered as part of the planning application review.

18. Woodroffe North Community Association Submission (letter dated July 25, 2024)

Thank you for this opportunity to comment on the proposed development at 30 Cleary.

There is an important omission in the description of the property being solely in McKellar Park. The property is contiguous to McKellar Park and to Woodroffe North. In fact, the area identified as Sector 2 in the Richmond Road Community Development Plan approved in May 2007 combines the First Unitarian Campus and the Woodroffe North community. This decision was made because the City of Ottawa recognized the reality that development on either side of the shared boundary between the Campus and the Woodroffe North community would have a significant and permanent impact.

The Woodroffe North community has made sustained efforts to have the Applicant recognize that Woodroffe North is the community that will sustain the most adverse impact if the application goes forward as proposed on the west side of 30 Cleary Avenue.

The most negative impact of the proposed development within the Unitarian Campus will be imposed on residents of Aylen Avenue whose use of their rear yards and private amenity spaces will be eroded permanently. The Woodroffe North Community Association (WNCA) supports without reservation the submissions from many Aylen neighbours who have worked tirelessly to have their concerns acknowledged and addressed in the final design.

The WNCA is choosing to focus on a few key issues rather than repeating our members' legitimate concerns.

The Green Buffer

City of Ottawa records will show that First U has sought a series of rezoning approvals since it purchased a farm property to build a Church decades ago. A subsequent rezoning application sought to build Unitarian House, a retirement residence within the Campus. The WNCA was concerned that this unpermitted land use would negatively impact the privacy and enjoyment of property of members living on Aylen Avenue.

Municipal authorities were actively involved in finalizing an Agreement that would resolve these and other concerns:

First U would establish a green buffer with a minimum width of 12 metres along the western boundary of the property in perpetuity.

- There would be no structures built within the green buffer.
- Its purpose was to protect the privacy and enjoyment of property of First U's neighbours.
- After more than 40 years, the green buffer remains in place to this day.
- The buffer would serve as a screen of vegetation between the two communities.
- Traffic concerns were addressed through the creation of Cleary Avenue with all vehicles entering the Campus via Richmond Road and Cleary Avenue instead of Algonquin Avenue, a street within Woodroffe North.

Buffers are neutral zones that separate two territories. In 1982, this green buffer separated the First U campus from the residential community of Woodroffe North. The initial rezoning permitted the First Unitarian Congregation to replace a neighbourhood farm with a church. This was followed by a second rezoning application to establish Unitarian House. And then, a third rezoning application to permit the building of a distinct building to house a daycare centre which had existed in the Church's basement for many years.

Moving ahead to 2024, First U is again applying for another rezoning and Official Plan Amendment within the original property boundaries of 30 Cleary Avenue. The proposed plan would unilaterally break the current Green Buffer Agreement that secured the rezoning which allowed the creation of Unitarian House in 1982.

This was a Quid pro quo agreement (something for something) between two parties which one party is now seeking to dishonour while retaining their benefit of the agreement.

The Congregation still has the benefit of Unitarian House while the continuation of the Green Buffer Agreement is being threatened by the current development proposal.

Ironically, of all the acreage that First U owns on this site, the Applicant is proposing that a significant part of the OAHS building be placed within the green buffer. In addition, the application currently proposes that a boardwalk be built in the green buffer behind the OAHS building.

Last year, when the boardwalk was first proposed, the Aylen Avenue neighbours strongly opposed the idea. The boardwalk proposal was removed. In 2024, without any advance discussion, the boardwalk reappeared in the site plan. Despite strong

opposition at the April 2024 Town Hall, the boardwalk proposal remains on the site plan of the current application.

On July 22, 2024, Rodney Wilts (Theia) made the following statement about the proposed boardwalk in an email exchange with Susan Glass (WNCA):

“The boardwalk is planned for a number of reasons, including that it improves the pedestrian experience throughout the campus...”

The green buffer is not intended to increase pedestrian traffic at the foot of the Aylen Avenue properties. The green buffer is a negotiated condition to protect the privacy and enjoyment of property of Aylen Avenue neighbours and is not to be a pedestrian thoroughfare.

The WNCA looks forward to seeing the MANDATORY pedestrian/bike pathway which will be available to improve the pedestrian experience throughout the Campus. Is its omission a tactic to justify the inclusion of a boardwalk pathway next to the backyards of Aylen Avenue properties? The pedestrian/bike pathway is essential to ensure the health and safety of the residents and visitors to the site.

There were several meetings between the Church, Theia and the Woodroffe North neighbours over the past year. Some meetings also included Councillor Theresa Kavanagh, Unitarian House, the River Parkway Childcare Centre, and representatives of the Continental Condominium. At each of these meetings, WNCA and the Woodroffe North neighbours had insisted that the green buffer agreement be honoured.

First U's leadership has acknowledged the existence of this Green Buffer Agreement in public meetings and in written communications. At the same time, the developer has avoided any public acknowledgement of the existence of this Agreement. Hence the boardwalk and the OAHS building are simply placed within the green buffer despite the ongoing position of the neighbourhood.

This would cause harm to the Aylen Avenue properties and their owners. In addition, unilateral breaking of agreements causes distrust, which is the last thing our two communities need as First U prepares to invite OAHS onto the Campus. First U has billed this gifting of land to OAHS as an act of reconciliation. The Applicants must carefully consider the significance and implications of gifting land to OAHS that is encumbered with a broken Agreement. Surely any action connected with reconciliation must have truth and integrity as its basis.

Last year, while onsite at a community meeting, the architect was asked, “why is the OAHS building placed like this, in the green buffer and alongside the western boundary, with residents looking into the Ayles Avenue backyards rather than turning the building so that the residents can look at the Ottawa River? His answer was simple: “the gardens”.

“The Gardens”

Most rezoning applications and OPA’s don’t warrant a discussion of gardens, but anyone who has had serious engagement with this development proposal knows that “the gardens” have been a driving force.

Since the initial discussions about this proposal, the gardens have been called “sacred” and “sacrosanct”. They were deemed “untouchable” and that was “non-negotiable”.

Most recently, the insistence on not touching the gardens was being justified by the mature trees within them. There have been other explanations offered as to why the gardens have been so passionately defended, but those are beyond the scope of this submission.

There are gardeners among us, both in the Church community and in Woodroffe North, who consider it a fantasy to think that these gardens would come through a development process of this magnitude unscathed. It is deeply disturbing that decisions about placement and setback of buildings are being made based on this belief.

Reasonable Setbacks

The WNCA is adamant that transition zones must be calculated from the rear lot lines of the Ayles properties, not from the rear of their houses. We urge the Councillors to use sound judgement when weighing in on this question.

Two years ago, WNCA participated in a Committee of Adjustment hearing that approved the construction of 4 new dwellings at 75 Ayles Avenue. The older building currently onsite would be removed and two semi-detached dwellings would be built near the street. In addition, a driveway would lead to two semi-detached dwellings in the rear of the lot. This seemed like a revolutionary proposal at the time when it was approved. It turns out that the development was simply ahead of its time. We are about to see many more such proposals with the new development rules allowing three or four dwellings as of right.

The transition zone must be measured from the lot line to give the Aylen Avenue neighbours the same opportunities to redevelop their properties as were available to the owner of 75 Aylen Avenue.

In support of future densification of Aylen Avenue, transition zones must be measured from the lot lines.

In Conclusion

The Woodroffe North community is a mature community of single family and semi-detached residences as well as some townhomes and low-rise apartments. Our community existed long before the initial municipal decision that allowed the construction of the First Unitarian Church next to our community. This initial rezoning approved by municipal authorities was followed by a series of additional rezoning requests by the landowner. The only positive concession to the Woodroffe North community has been the Green Buffer Agreement to protect the privacy of our members from the adverse effects of a large institutional land use on the Community's eastern boundary. The establishment and maintenance of a continuous 12 metre green buffer in perpetuity along the length of the Campus' western land boundary has served this purpose. The residents of Woodroffe North are placing their trust in the knowledge, experience, and ethics of elected authorities of the City of Ottawa to ensure that the First Unitarian Congregation of Ottawa abides by an Agreement made more than 40 years ago.

Response

The Community Association comments are summarized and responded to in the list above.