

**Subject: Zoning By-law Amendment – 108 Nepean Street, part of 257 Lisgar Street**

**File Number: ACS2022-PIE-PS-0072**

**Report to Planning Committee on 7 July 2022**

**and Council 31 August 2022**

**Submitted on June 27, 2022 by Derrick Moodie, Director, Planning Services  
Planning, Real Estate and Economic Development**

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**Ward: Somerset (14)**

**Objet : Modification du *Règlement de zonage* – 108, rue Nepean et partie du  
257, rue Lisgar**

**Dossier : ACS2022-PIE-PS-0072**

**Rapport au Comité de l'urbanisme**

**le 7 juillet 2022**

**et au Conseil le 31 août 2022**

**Soumis le 27 juin 2022 par Derrick Moodie, Directeur, Services de la planification,  
Direction générale de la planification, des biens immobiliers et du développement  
économique**

**Personne ressource : Andrew McCreight, gestionnaire, Examen des demandes  
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**Quartier : Somerset (14)**

## **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 108 Nepean Street and part of 257 Lisgar Street to permit a 27-storey mixed-use building, as detailed in Document 2.**

2. That Planning Committee approve the Consultation Details Section of this report be included as part of the ‘brief explanation’ in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* ‘Explanation Requirements’ at the City Council Meeting of August 31, 2022,” 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 l’urbanisme recommande au Conseil municipal d’approuver une modification à apporter au *Règlement de zonage 2008-250* pour le 108, rue Nepean et une partie du 257, rue Lisgar afin de permettre de construire un immeuble polyvalent de 27 étages, selon les modalités précisées dans la pièce 2.
2. Que Comité de l’urbanisme approuve l’intégration de la section de ce rapport consacrée aux détails de la consultation dans la « brève explication » de la Synthèse des mémoires déposées par écrit et de vive voix, à préparer par le Bureau du greffier municipal et à soumettre au Conseil municipal dans le rapport intitulé « Synthèse des mémoires déposés de vive voix et par écrit pour les questions soumises aux “explications obligatoires” de la *Loi sur l’aménagement du territoire* à la réunion du Conseil municipal le 31 août 2022 », sous réserve des mémoires qui seront déposés entre la date de la publication de ce rapport et la date de la décision du Conseil municipal.

## EXECUTIVE SUMMARY

### Staff Recommendation

Planning staff recommend approval of the Zoning By-law Amendment for 108 Nepean Street and part of 257 Lisgar Street to permit a 27-storey mixed-use building with approximately 300 dwelling units and ground floor commercial.

The recommendations propose to rezone the site from Residential Fifth Density, Subzone B, Exception 482, Maximum Floor Space Index of 3 (R5B [482] F(3.0) to Residential Fifth Density Zone, Subzone B, Urban Exception XXXX, Schedule ‘YYY’, holding symbol (R5B [xxxx] SYYY -h). Details of the rezoning include increasing the building height to 27-storeys with site-specific standards for reduced aisle and parallel parking space dimensions, landscaping, increased bicycle parking, adding limited non-

residential uses, providing holding symbol criteria such as the requirement for burying hydro along O'Connor Street, providing 25 affordable housing units, and recessing portions of the building along Nepean and O'Connor Streets.

### **Applicable Policy**

The proposed development is consistent with the Official Plan. The subject site is designated General Urban Area, which permits a broad range of residential uses and densities. Through the evaluation of Sections 2.5.1 and 4.11, the proposed building results in a compatible development, and is consistent with the Centretown Secondary Plan, which permits buildings up to 27-storeys and encourages residential intensification and the opportunity for small-scale local-serving commercial uses.

### **Other Matters**

Neither Committee nor Council have previously dealt with this application or proposed development, however, it is important to be aware of the multiple corresponding applications associated with this report (108 Nepean and part of 257 Lisgar Streets), and the staff report (ACS2022-PIE-PS-0073) concerning the Demolition of 142 Nepean Street, and the Zoning application for 142, 144 and 146 Nepean Street for performance standards related to an accessory parking lot.

The proposals have been reviewed together and the staff recommendations take this into consideration, including through the provisions in the holding symbol (108 Nepean Street, part of 257 Lisgar Street) and conditions of demolition control for 142 Nepean Street.

### **Public Consultation/Input**

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

Councillor McKenney and the applicant organized a community information session, held virtually, on September 21, 2021. Approximately 25 members of the public attended, where the applicant provided a presentation, followed by a question-and-answer period.

During application review approximately 40 individuals/groups provided comments on the application. Majority of the comments submitted raised concerns about construction noise and debris, building height, affordable housing, impact on current parking, and the bird-friendly design.

## **SYNTHÈSE ADMINISTRATIVE**

### **Recommandations du personnel**

Le personnel des Services de planification recommande d'approuver la modification du *Règlement de zonage* pour le 108, rue Nepean et une partie du 257, rue Lisgar afin de permettre de construire un immeuble polyvalent de 27 étages, doté d'environ 300 logements et d'un étage commercial au rez-de-chaussée.

Il est entre autres recommandé de rezoner le site pour passer de la sous-zone B (Zone résidentielle de densité 5), exception 482, Rapport plancher-sol de 3 (R5B [482] F(3.0) à la sous-zone B (Zone résidentielle de densité 5), exception urbaine XXXX, annexe YYY, symbole d'aménagement différé (R5B [xxxx] SYYY -h). Les détails du rezonage consistent à accroître la hauteur de l'immeuble pour la porter à 27 étages, selon les normes propres au site pour la réduction des dimensions des ailes et des places de stationnement parallèle, le paysagement, l'augmentation du nombre de places de stationnement pour les vélos et les autres aménagements non résidentiels limités, en prévoyant d'appliquer les critères du symbole de l'aménagement différé, dont l'obligation d'enfouir les câbles d'hydroélectricité le long de la rue O'Connor, d'aménager 25 logements abordables et de décaler des parties de l'immeuble le long de la rue Nepean et de la rue O'Connor.

### **Politiques applicables**

Le projet d'aménagement proposé est conforme au Plan officiel. Le site visé porte la désignation de « secteur urbain général », ce qui permet d'aménager un large éventail de bâtiments résidentiels et de densités. Dans le cadre de l'évaluation des sections 2.5.1 et 4.11, l'immeuble proposé donne lieu à des aménagements compatibles et est conforme au Plan secondaire du centre-ville, qui permet de construire des immeubles dont la hauteur peut atteindre 27 étages et qui encourage la densification résidentielle et la possibilité d'aménager des établissements commerciaux à petite échelle pour servir la localité.

### **Autres questions**

Ni le Comité, ni le Conseil municipal ne se sont encore penchés sur cette demande ni sur le projet d'aménagement proposé. Toutefois, il est essentiel d'être au courant des différentes demandes correspondantes liées à ce rapport (108, rue Nepean et partie du 257, rue Lisgar), ainsi que du rapport du personnel (ACS2022-PIE-PS-0073) sur la démolition du 142, rue Nepean et de la demande de zonage du 142, du 144 et du 146, rue Nepean pour les normes de rendement liées à un terrain de stationnement accessoire.

On a pris connaissance de l'ensemble des propositions, et les recommandations du personnel en tiennent compte, notamment dans le cadre des dispositions relatives au symbole de l'aménagement différé (108, rue Nepean et partie du 257, rue Lisgar) et des conditions de la réglementation des travaux de démolition pour le 142, rue Nepean.

### **Consultation publique et commentaires**

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

Catherine McKenney, conseillère municipale, et le requérant ont organisé une séance d'information communautaire, qui a eu lieu en virtuel le 21 septembre 2021. Environ 25 représentants du public y ont participé; le requérant a présenté un exposé, qui a été suivi d'une période de questions.

Durant l'examen de la demande, environ 40 personnes et groupes ont fait des commentaires sur cette demande. Dans la majorité des commentaires soumis, on a exprimé des inquiétudes à propos du bruit et des débris de construction, de la hauteur de l'immeuble, des logements abordables, de l'impact sur le stationnement actuel et de la conception sécuritaire pour les oiseaux.

### **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**

108 Nepean Street, part of 257 Lisgar Street.

#### **Owner**

Taggart Corporation Ltd. And 190 O'Connor Limited Partnership

#### **Applicant**

Fotenn Planning + Design (Timothy Beed)

#### **Architect**

Roderick Lahey Architect Ltd. (Kevin Reid)

## **Description of site and surroundings**

The subject site, municipally known as 108 Nepean Street and the northern portion of 257 Lisgar Street, encompasses the southeast corner with 50 metres of frontage along Nepean Street and 30 metres of frontage along O'Connor Street. The site has a total combined area of 1,515 square metres.

The site is currently used as a surface parking lot, primarily serving an existing office building located at 190 O'Connor Street (on the 108 Nepean Street portion) directly west of the subject site, and surface parking currently used by 257 Lisgar Street. The surrounding area comprises a mix of uses and building forms and is characterized predominantly by residential and commercial uses with building heights varying from low- to high-rise. Immediately south of the subject property is a 10-storey apartment building at 257 Lisgar Street and associated underground parking access ramp on O'Connor Street, which is proposed to be shared by the proposed development. The lands immediately east of the subject site are planned for the development of a 27-storey residential building. One block west of the subject property is Bank Street, a Traditional Mainstreet, and neighbourhoods containing predominantly mid-rise multi-unit buildings with some mixed-use properties. North of the site, in Centretown, is comprised of high-rise residential and mixed-use development.

## **Summary of proposed development**

The proposed development consists of a 27-storey mixed-use building with approximately 300 dwelling units and 120 square metres of commercial space at grade. The design incorporates a two-storey recessed arcade along O'Connor Street and part of Nepean Street to widen the public realm experience, with a six-storey masonry podium and stepped-back tower. The building utilizes the existing vehicle access off O'Connor Street for a new underground garage with 166 parking spaces (136 residential and 30 visitor). The design also incorporates roughly 400 bicycle parking spaces, including a large ground floor bike room.

## **Summary of requested Zoning By-law amendment proposal**

The subject site is currently zoned Residential Fifth Density, Subzone B, Exception 482, Maximum Floor Space Index of 3 (R5B [482] F(3.0)). The Zoning By-law Amendment proposes to increase the maximum building height to 27-storeys, while removing the floor space index, with site-specific provisions for various performance standards and adding criteria to satisfy through a holding symbol (-h).

Details of the recommended zoning includes the following:

- Rezone the site from Residential Fifth Density, Subzone B, Exception 482, Maximum Floor Space Index of 3 (R5B [482] F(3.0) to Residential Fifth Density Zone, Subzone B, Urban Exception XXXX, Schedule 'YYY', holding symbol (R5B [xxxx] SYYY -h).
- Urban Exception 'xxx' will require minimum yard setbacks, minimum building setbacks and maximum building height as defined in Schedule 'YYY'.
- Schedule 'YYY' identifies the minimum yard setbacks, minimum building setbacks and maximum building height as per the proposed development.
- Additional site-specific provisions, through exception 'xxx', include a reduced landscaped area requirements from 30% of the lot area to 13.5%, adding a variety of non-residential uses at grade, permitting an amenity room as a projection above the height limit within the mechanical penthouse, reduced aisle width in the garage to 6.0 metres (6.7 metres required), and allowing parallel small-car parking spaces with a 6.0 metre length (6.7 metres required).
- The holding symbol (-h) criteria identifies the commitments to be secured during Site Plan approval, which includes the provision for providing 25 affordable housing units, burying hydro along O'Connor Street, and plans showing the recessed ground floor along Nepean and O'Connor Streets to expand the public realm. These details will be secured through conditions and/or on approved plans in a registered Site Plan Agreement.

### **Brief history of proposal**

Committee nor Council have previously dealt with this application or proposed development; however, it is important to be aware of the multiple corresponding applications associated with this report (108 Nepean and part of 257 Lisgar), and the staff report (ACS2022-PIE-PS-0073) concerning the Demolition of 142 Nepean Street, and the Zoning application for 142, 144 and 146 Nepean Street for performance standards related to an accessory parking lot.

108 Nepean Street is currently a 44-space parking lot, which primarily serves as employee parking for the Office directly across the street at 190 O'Connor Street. The portion of 257 Lisgar Street subject to the application exists as surface parking with approximately 15 parking spaces servicing the 10-storey apartment at 257 Lisgar Street. The Owners of these properties have agreed to consolidate these lands to

create a development opportunity for a new 27-storey mixed-use building in accordance with the direction of the Centretown Secondary Plan.

With the redevelopment, one of the Owner's is looking to maintain the employee parking by demolishing the existing six-unit apartment at 142 Nepean Street to provide a 30-space parking lot in support of the Office at 190 O'Connor Street (which would be a contiguous site).

The proposals have been reviewed together and the staff recommendations take this into consideration, including through the provisions in the holding symbol (108 Nepean Street, part of 257 Lisgar Street) and conditions of demolition control for 142 Nepean Street.

## **DISCUSSION**

### **Public consultation**

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

Councillor McKenney and the applicant organized a community information session, held virtually, on September 21, 2021. Approximately 25 members of the public attended, where the applicant provided a presentation, followed by a question-and-answer period.

During application review approximately 40 individuals/groups provided comments on the application. Majority of the comments submitted raised concerns about construction noise and debris, building height, affordable housing, impact on current parking, and the bird-friendly design.

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

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

Applications must be evaluated against the [existing Official Plan](#) and must also include an evaluation of the application against the Council approved [new Official Plan](#) (and new Secondary Plan, where applicable).

In this current period, between Council approval of the New OP and the Minister's approval of the New OP, staff are to apply whichever provision, as between the Current and New OP, is more restrictive.



### **Current Official Plan**

The Official Plan (2003, as amended) designates the subject property as General Urban Area as shown on Schedule B. The site is also located within the Centretown Secondary Plan, specifically within the Apartment Neighbourhood Area.

### **New Official Plan**

The subject site is located within the Downtown Core Transect, within the Hub designation and Evolving Neighbourhood overlay.

The Downtown Core Transect speaks to maintaining and enhancing an urban pattern of built form, prioritizing walking and cycling, and locating the greatest densities within this transect with a minimum target of five per cent of large household dwellings within mid- and high-rise buildings. The recommended zoning by-law amendments satisfies the new OP by adding residential intensification and ground floor commercial uses within an area designed as 15-minute neighbourhood, and a built form design that is compatible and fits within its surroundings.

### **Other applicable policies and guidelines**

The [Centretown Secondary Plan](#) applies to the subject site. As per Schedule H1 the site is designated as Apartment Neighbourhood, which permits high-rise residential and supports small-scale local servicing commercial uses. Schedule H2 identifies the site as appropriate for high-rise with building heights up to 27-storeys.

[The Urban Design Guidelines for Transit-Oriented Development](#) apply as the site is within 600 metres of Parliament O-train 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.

Also applicable to the site are the [Urban Design Guidelines for High-Rise Housing](#). Particularly relevant to the proposal are the guidelines specific to building orientation, human-scale, building mass, active at-grade uses, public realm, tower separation and floor-plate size, and transition.

### **Urban Design Review Panel**

The property is within a Design Priority Area and the Zoning By-law Amendment application was subject to the Urban Design Review Panel (UDRP) process. The

applicant presented their proposal to the UDRP at a formal review meeting (virtually), on July 9, 2021, which was open to the public.

The panel's recommendations from the formal review of the Zoning By-law Amendment application are provided online [HERE](#).

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

- Enhancing the street level landscaping and public realm animation evident by revisions made to recessing the at-grade treatment of the podium to widen the public realm and provide sufficient space for street trees.
- Maintaining the quality tower design with the “elbows” expression but reducing the overall mass and floor plate.
- Improvement to the south side of the building and wrapping the balcony treatment around the corner.
- Improved public realm treatment with a more urban entrance along Nepean Street and room for street trees along O’Connor Street.
- Improvements were made to the two-storey arcade through the recessed portion enhancing the pedestrian experience.
- Refinement on the materiality will continue to be reviewed through the subsequent Site Plan application.
- Support was noted for burying hydro along O’Connor Street and the development’s approach to support bicycle parking and active transportation.

Staff are satisfied with the design changes resulting from the UDRP process, and details, such as at-grade treatment and podium and tower design shown in the current concept plans were a result of this process. The more detailed direction of site development will be further analyzed with the subsequent Site Plan application.

### **Planning rationale**

Official Plan (2003, as amended) (OP)

The subject site is designated General Urban Area and permits the development of a full range and choice of housing types to meet the needs of all ages, incomes, and life circumstances. Residential intensification through infill will relate to the existing character to enhance desirable patterns and built form while also achieving a balance of

housing types and tenures. Development will be evaluated against compatibility with the existing context and planned function of the area.

Section 2.2.2, Managing Growth, provides policy direction for intensification and acknowledges that denser development, including taller buildings, should be located in areas supported by transit priority networks and areas with a mix of uses. The policy also notes that building heights and densities may be established through a secondary plan. Being located within the Centretown Secondary Plan, Apartment Neighbourhood area designation, the subject site has a broad range of access to a mix of uses and community amenities. It is also located within walking distance of several transit priority corridors and 450 metres walking distance to Parliament O-Train Station directly north on O'Connor Street. The subject site has excellent access to public transit, pedestrian and cycling infrastructure, including the cycle track on O'Connor Street. The development supports growth with residential intensification and provides ground floor commercial spaces for local servicing non-residential uses.

Sections 2.5.1 and Section 4.11 of the Official Plan provides policy direction for designing Ottawa, urban design, and compatibility.

Section 2.5.1 of the OP is broad in nature with design objectives such as defining quality spaces, ensuring safety and accessibility, respecting the character of the community, and sustainability. The building design incorporates an enhanced public realm treatment along the street frontages with a recessed ground floor and active entrances. The six-storey podium respects the human-scale nature of the area and provides a design with masonry while the tower portion of the building is stepped back and incorporates an elegant design, including carrying the design through the mechanical penthouse level and amenity room. A minimum 20 metre tower separation has been achieved with abutting properties in a manner consistent with the Centretown Secondary Plan (and Community Design Plan) and high-rise guidelines. The site design also utilizes the existing vehicular access on O'Connor to be shared between the new development and existing apartment building at 257 Lisgar Street.

Section 4.11 of the OP references the compatibility of new buildings within their surroundings through setbacks, heights, transitions, colours and materials, orientation of entrances, and incorporating elements and details of common characteristics of the area. Through the review process improvements were made to the design of the building, including the public realm treatment, materiality, and reduced tower floorplate and setbacks. The design also incorporates internal waste collection and loading in the building and removes this activity from the street. While the podium level generally

allows for a zero-lot line condition (consistent with the surroundings), the ground floor has been recessed to expand the public realm and street-level animation.

The proposed development is consistent with the OP and demonstrates an appropriate mixed-use development in a manner supportive of the City's intensification goals providing a variety of housing choice and opportunity for local-serving commercial uses. The development is also designed to support active transit use and places a strong emphasis on bicycle use through design.

### Secondary Plan

The proposed 27-storey mixed-use building supports the goals and policy direction of the Centretown Secondary Plan. The lot consolidation allows for the opportunity of two surface parking lots with approximately 60 parking spaces to be developed into an approximately 300 residential unit building with ground for commercial uses, supporting intensification and growth in the urban area.

The Apartment Neighbourhood designation supports residential intensification and local-serving commercial uses and building heights up to 27-storeys. The proposed development implements the policy by rezoning the site to achieve the goals of this plan and has been done in a manner that meets the requirements for tower separation, quality architecture, public realm enhancement and encouraging walking, cycling and public transit use. The proposed development implements the goals and vision of the Secondary Plan.

### Zoning Details

With respect to the recommended zoning details the following provides a general rationale:

- The proposed 27-storey building is consistent with the current and new Official Plan, and most notably the secondary plans that permit a maximum building height of 27-storeys and encourage redevelopment of a predominantly residential built form with the opportunity for small-scale local servicing commercial uses. The proposed development implements the policy vision.
- The podium and tower design are consistent with the urban design and compatibility policies, and further supported by the urban design guidelines for high-rise buildings through key design moves such as the tower stepback of at least 2.0 metres from the podium, allowing for a 20 metre tower separation, and maintaining a floor plate around 800 square metres with a quality urban design approach.

- The development is consistent with the Transit-Oriented Development guidelines and relevant policies that support active transit choices. The site is within a direct 450 metres walking distance to the Parliament O-Train Station on O'Connor Street, and the building design incorporates a significant bicycle parking strategy that includes a large ground floor bike room for ease of use and function.
- The development is replacing a surface parking lot on a corner lot with a mixed-use development and supports intensification. While the recommended zoning details reduce the amount of required landscaping, the development will soften this urban corner site through the introduction of street trees and landscaping beds along the site frontages and within the right-of-way. The specific details of the landscaping will be considered through Site Plan Control.
- The reduced parking aisle width and parallel parking space length are functional and staff have no concerns with this approach, which is quite typical in urban developments on compact sites.
- Allowing for the non-residential uses builds on the current zoning in place (exception 482) and continues to permit local-services commercial uses in a manner consistent with the Secondary Plan policies.
- The number of bicycle parking space requirements has been increased from 0.5 spaces per unit to 1.0 space per unit to ensure the positive design approach shown through this application.
- The design of the tower incorporates a mechanical penthouse level that completes the design and architecture of the building. Allowing an indoor amenity area and washroom does not adversely impact the mass or appearance of the building and as such this use has been permitted as a projection above the height limit. Additionally, it provides for a quality amenity space for the building residents and visitors and pairs well with the communal rooftop outdoor terrace.
- The holding symbol approach on this application is the result of a commitment made by the applicant that originated through the review process when Section 37 was in effect. As the timing of this report will not proceed to Council until after the Community Benefits Charge (replaces old Section 37), the negotiated community contributions are recommended to be secured through the use of a holding symbol with requirements to be fulfilled via Site Plan Agreement.
- As noted in the 'Brief History' section of this report, the overall proposed development has been considered in the view of other related applications,

including those subject to staff report ACS2022-PIE-PS-0073. Together, the result is removing a 60-space surface parking lot away from the corner of O'Connor and Nepean Streets to allow for a new 300-unit development. Given the unique ownerships and partnership on the applications, the office building at 190 O'Connor Street seeks to maintain parking which is currently served by the 44 space surface lot at 108 Nepean Street. To enable the new development, the corresponding proposal includes the demolition of 142 Nepean Street, a six-unit apartment building, to allow for a new 30-space parking lot ancillary to the 190 O'Connor Street office, which together would be a contiguous lot of ownership. It is important to note this parking lot will be prohibited to operate as a commercial parking lot, and conditions of demolition will include criteria that demolition will not be permitted until the building permit for the new development at 108 Nepean Street and part of 257 Lisgar Street has been issued.

- While there is a loss of a six-unit apartment, the coordinated proposals allow for a new 300-unit development. Furthermore, the recommended details are securing a requirement for 25 affordable housing units and the developer intends to work with CMHC to provide additional affordable units.
- Existing tenants of 142 Nepean Street will be accommodated for moving and finding replacement units, which is to be detailed in a Memorandum of Understanding and subject of Staff Report ACS2022-PIE-PS-0073 (142 Nepean Street).

### **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**

Councillor McKenney provided the following comments:

“I support the mixed-use development at 108 Nepean as a positive proposal to replace an underused surface parking lot with increased density. I hope the applicant does the right thing and provides deeply affordable units in perpetuity in this new building if the application is approved.

However, I cannot support the proposed demolition of 142 Nepean and I believe linking the 108 Nepean ZBA application to the 142 Nepean Demolition Control, Zoning By-law Amendment, and Site Plan Control applications for a surface parking lot is a mistake. Removing a residential building to accommodate surface parking for an office building 5 blocks from the Parliament LRT station during a housing/homelessness emergency, a growing climate crisis and a global pandemic that has significantly increased remote or hybrid working patterns is short-sighted and damaging. Destroying housing for surface parking does harm to the environment by introducing another impermeable surface that increases runoff and contributes to the urban heat island effect, does harm to the neighbourhood by removing 6 affordable housing units from this mixed-use and diverse community, and does harm to the whole city by setting a precedent that creating new surface parking justifies the removal of housing.

Many of the units in this build are well below market rent and present an affordable option in this downtown neighbourhood that has become unaffordable for many. If this parking is deemed necessary for the office workers at 190 O'Connor, 30 parking spots should be set aside in the proposed underground parking lot at 108 Nepean. The Demolition Control application for 142 Nepean must be rejected."

### **ADVISORY COMMITTEE(S) COMMENTS**

No comments were provided from an advisory committee. The Accessibility Advisory Committee will be consulted when a Site Plan application is submitted.

### **LEGAL IMPLICATIONS**

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

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk implications.

### **ASSET MANAGEMENT IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

The negotiated non-cash developer contributions include the provision of 25 affordable housing units, burying of hydro along O'Connor Street, and a recessed ground floor along Nepean and O'Connor Streets to expand the public realm. These contributions

will be secured through conditions and/or on approved plans in a registered Site Plan Agreement.

In the event that the application is refused and appealed it would be necessary to retain an external planner. This expense would be funded from within Planning Services' operating budget.

### **ACCESSIBILITY IMPACTS**

The new building will be required to meet the accessibility criteria contained within the Ontario Building Code. When an application for Site Plan Control is submitted the proposed development will be circulated to the Accessibility Advisory Committee for review and comment.

### **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Thriving Communities

### **APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D02-02-21-0042) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to a number of revisions made to the building design during the review process and navigating the negotiation of community benefit commitments as the "Old" Section 37 process will no longer apply.

### **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Schedule 'YYY'

Document 4 Proposal Images

Document 5 Consultation Details

### **CONCLUSION**

Planning staff recommend approval of the Zoning By-law Amendment for 108 Nepean Street and part of 257 Lisgar Street to permit a 27-storey mixed-use building with



approximately 300 dwelling units and ground floor commercial. The proposed development is consistent with the Official Plan and represents implementation of the goals from the Centretown Secondary Plan, which encourages intensification and supports the mixed-use development up to 27-storeys.

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

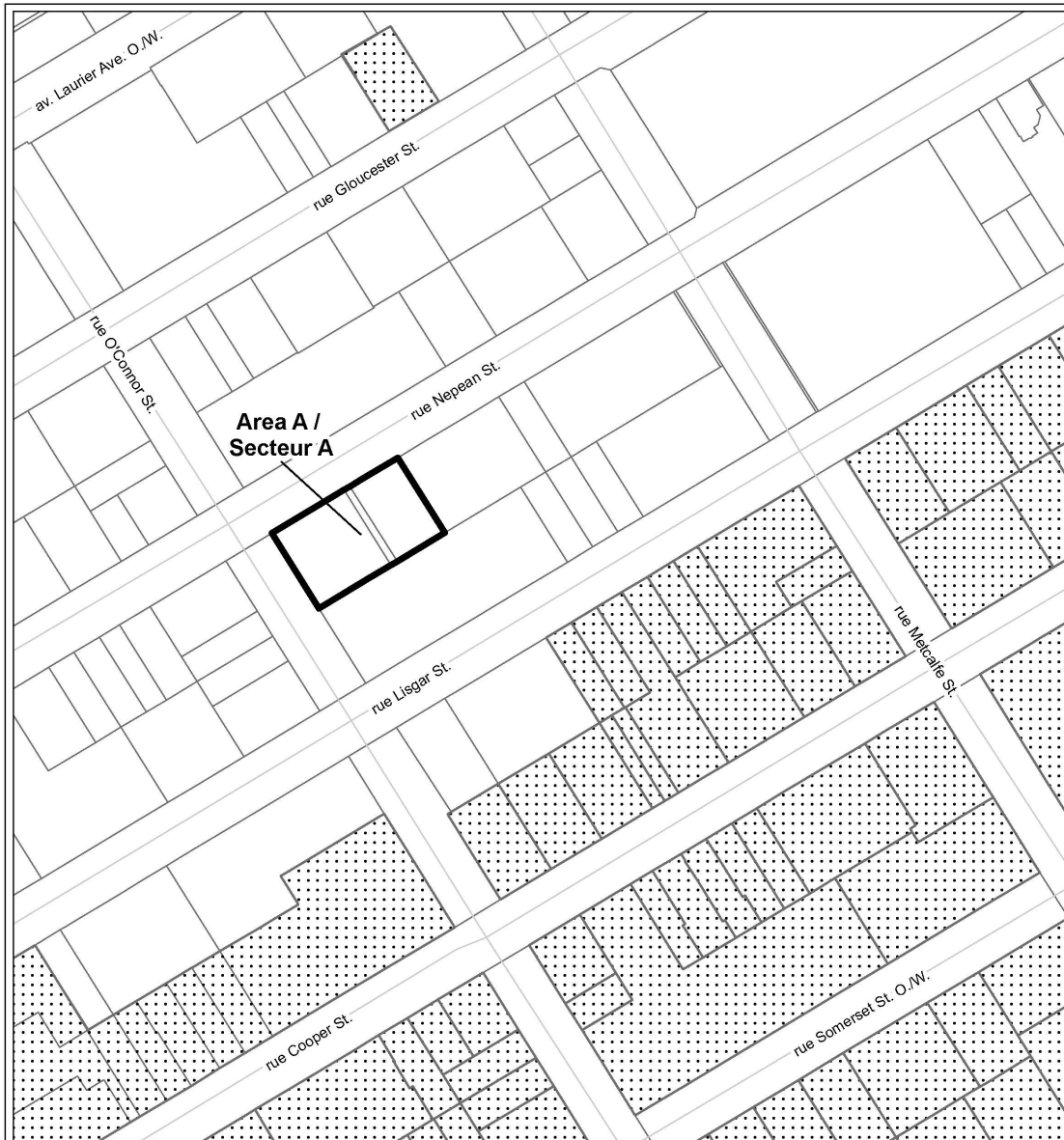
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.





Legal Services, Innovative Client Services Department to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

**Document 1 – Location Map**

For an interactive Zoning map of Ottawa visit [geoOttawa](http://geoOttawa)



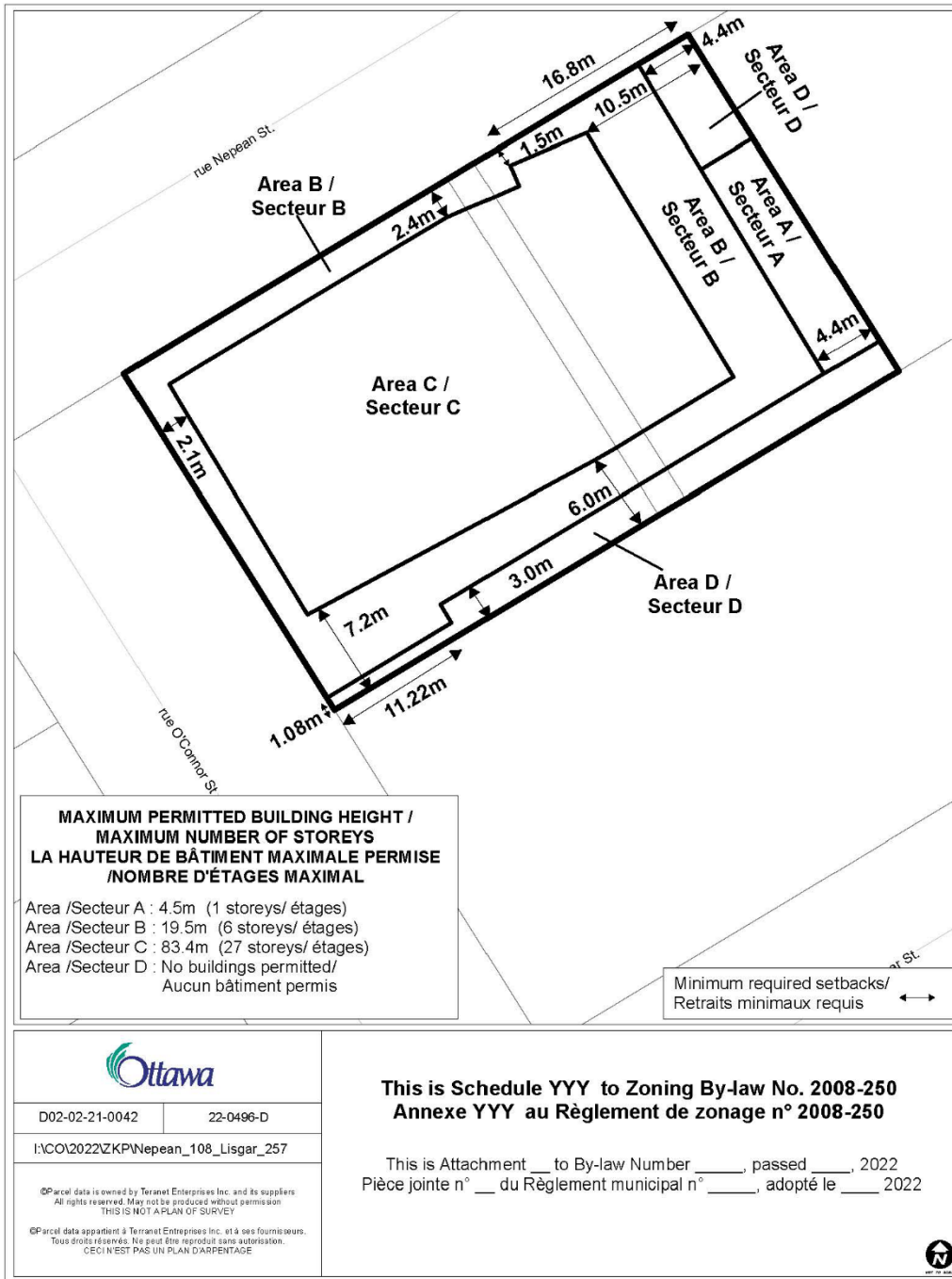
		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-21-0042	22-0482-X	<b>108 rue Nepean Street</b> <b>257 Part of / Partie de rue Lisgar Street</b>	
I:\CO\2022\Zoning\Nepean_108			
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REVISION / RÉVISION - 2022 / 05 / 18		 Area A to be rezoned from R5B[482] F(3.0) to R5B[xxxx] SYYY-h Le zonage du secteur A sera modifié de R5B[482] F(3.0) à R5B[xxxx] SYYY-h	 Heritage (Section 60) Patrimoine (Article 60)
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)			
			

## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 108 Nepean Street and part of 257 Lisgar Street are as follows:

1. Rezone the lands, shown in Document 1, from R5B [482] F(3.0) to R5B [xxxx] SYYY -h
2. Amend Part 17, Schedules, by adding a new Schedule 'YYY', as shown in Document 3.
3. Amend Section 239, Urban Exceptions, by adding a new exception [xxxx] with provisions similar in effect as follows:
  - a. In Column II, add the text R5B [xxxx] SYYY -h
  - b. In Column III, additional land use permitted, add Convenience Store, Retail Store, Personal Service Business and Restaurant.
  - c. In Column V, include provisions similar in effect to the following:
    - i. Additional permitted uses other than place of assembly limited to a club restricted to ground floor or basement of residential use building.
    - ii. The following provisions apply to a parking lot to be used by the existing Office building, as of the date of Council approval, at 190 O'Connor Street:
      1. A parking lot of at least 30 parking spaces is permitted only to serve as parking for the existing office;
      2. A loading area is not required;
      3. Landscaped area for a parking lot requires a minimum of 65 square metres and no buffer.
      4. Minimum aisle width for 90-degree parking: 6.0 metres

Document 3 – Schedule ‘YYY’



D02-02-21-0042      22-0496-D

I:\CO\2022\ZKP\Nepean\_108\_Lisgar\_257

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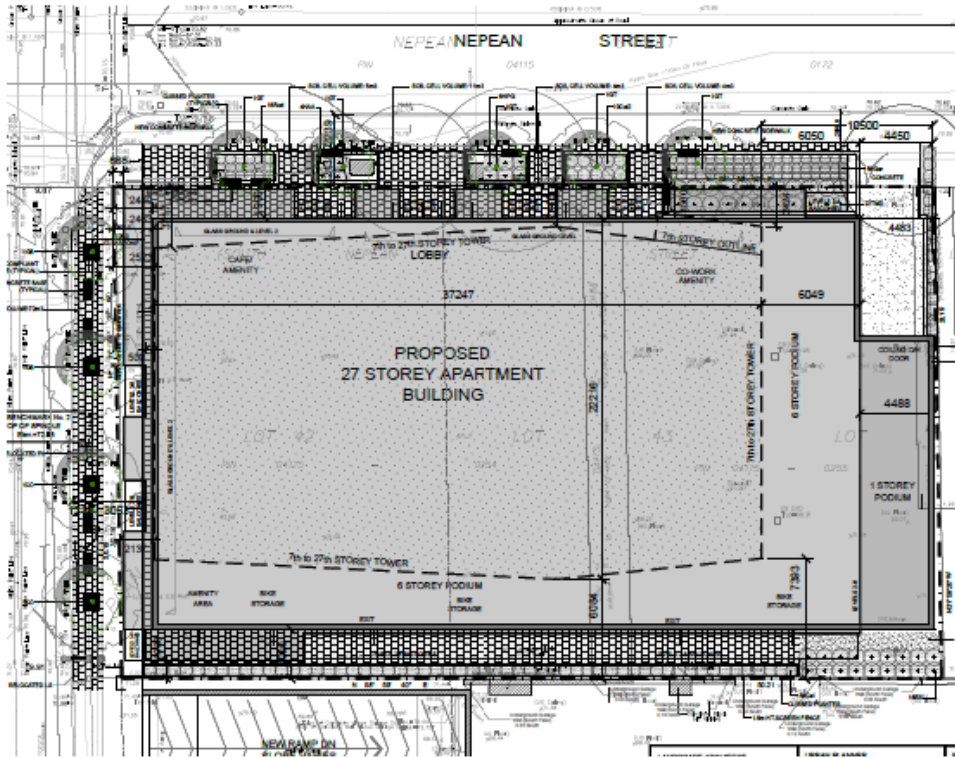
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**This is Schedule YYY to Zoning By-law No. 2008-250  
Annexe YYY au Règlement de zonage n° 2008-250**

This is Attachment \_\_\_ to By-law Number \_\_\_\_, passed \_\_\_\_, 2022  
Pièce jointe n° \_\_ du Règlement municipal n° \_\_\_\_, adopté le \_\_\_\_, 2022



Document 4 – Proposal Images







## **Document 5 – Consultation Details**

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

Councillor McKenney and the applicant organized a community information session, held virtually, on September 21, 2021. Approximately 25 members of the public attended, where the applicant provided a presentation, followed by a question-and-answer period.

During application review approximately 40 individuals/groups provided comments on the application. Majority of the comments submitted raised concerns about construction noise and debris, building height, affordable housing, impact on current parking, and the bird-friendly design.

## **Public Comments and Responses**

### **Construction Impacts**

- General concerns about construction noise, constantly being surrounded by construction, and noise while working from home.
- Concerns expressed about construction dust, pollution and debris, and duration of construction.
- Keeping rear access of 257 Lisgar accessible during construction.
- Concerns about mental health with ongoing construction impacts and noise.
- Road closures and construction vehicles blocking access and creating detours.

### **Response:**

All construction activity will be subject to the Noise By-law and the method for construction has not been determined at this point.

### **Building Height and Density**

- Downtown core of Ottawa is concerned about more high-rise buildings. Development approvals for high-rise should be evenly spread across the City.
- More height and density are not required here. Developers should be look at converting downtown office space to residential.



- Need breathing space between the buildings.
- The building is too close to 257 Lisgar and will remove privacy and sunlight.

**Response:**

The proposed development, including the height and density, is consistent with the Centretown Secondary Plan framework which supports intensification and allows for buildings up to 27-storeys. The podium and tower have been designed to provide appropriate and desirable setbacks including satisfying tower separation.

**Affordable Housing**

- Concerns about the potential rental rates of the new building and whether affordable housing would be provided.
- Looking for housing affordability and unit mix, not another luxury building.

**Response:**

The recommended zoning details include a requirement for 25 affordable housing units, including a mix of one-bedroom and two-bedroom units.

**Parking and Traffic**

- Existing residents (257 Lisgar) concerned about impact of existing parking and access to garage.

**Response:**

The use of the existing O'Connor access ramp is supported by staff and the parking for the new development and existing building at 257 Lisgar will remain separate. The specific construction approach and phases of construction for removal of existing surface parking has not been determined. When an application for Site Plan is submitted, more details can be requested to have a better understanding about the approach.

**Other**

- Concerned about existing maintenance issues at 257 Lisgar and this new development proceeding from the same owner.

- Consideration of the City's Bird-Safe Design Guidelines for mitigation of glazing and lighting controls to reduce night-time light pollution should be demonstrated in subsequent Site Plan Control application.
- The project at 108 Nepean intends to tear up a parking lot. Half a block down the street at the proposed site of 142-148 Nepean, there is a proposal to tear down existing housing to make a parking lot. It seems absurd to tear up a parking lot to build housing and tear down housing to make a parking lot half a block away from one another. What is the benefit to the neighbourhood.

**Response:**

The property management of 257 Lisgar is beyond the purview of this application. However, through the initial Community Information Sessions these concerns were noted, and the property owner was informed to follow up with residents.

The Bird-safe Design Guideline concerns are noted and will form part of the detailed review that occurs through Site Plan.

The corresponding applications between removal and replacement of surface parking lots and demo and construction of new residential development is detailed in the staff report. Overall, the result of these applications is removing a large surface parking lot from a prime corner to an interior street with a smaller parking lot, which will allow for a 300-unit development.

**Community Organization Comments and Responses**

At the time of writing this report, no comments were provided on this application.