

Subject: Zoning By-law Amendment - 1545 Bank Street

File Number: ACS2022-PIE-PS-0085

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 Department**

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Ward: Alta Vista (18)

Objet : Modification du Règlement de zonage – 1545, rue Bank

Dossier : ACS2022-PIE-PS-0085

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 planification,
Direction générale de la planification, des biens immobiliers et du développement
économique**

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Quartier : Alta Vista (18)

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve a minor amendment to Zoning By-law 2008-250 for 1545 Bank Street to permit an eight-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 d’approuver une modification mineure du Règlement de zonage 2008-250 pour le bien-fonds situé au 1545, rue Bank afin de permettre l’aménagement d’un bâtiment à usage polyvalent de huit étages, comme l’explique en détail le document 2.
2. Que le Comité de l’urbanisme donne son approbation afin que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux “exigences d’explication” aux termes de la Loi sur l’aménagement du territoire, à la réunion du Conseil municipal prévue le 31 août 2022 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision.

BACKGROUND

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

Site location

1545 Bank Street

Owner

10773883 Canada Inc.

Applicant

Novatech, Kayla Blakely

Architect

IBI Group

Description of site and surroundings

The site is located at the north-east corner of Bank Street and Evans Boulevard. The site is currently vacant.

The surrounding properties along Bank Street to the north, south and west are commercial sites with restaurants, banks, and retail uses. The abutting property to the east, along Evans Boulevard, is a converted dwelling that is used for commercial purposes. The remainder of Evans Boulevard is comprised of single-detached dwellings. There is one residential property that backs onto a portion of the rear of the subject site.

Summary of requested Zoning By-law amendment proposal

The current zone for the site is Arterial Mainstreet, Subzone 1, Exception 1913 (AM1 [1913]). The zone permits a wide variety of uses such as bank, retail and restaurants along with mid-rise apartment buildings. The maximum permitted height for this zone and the subject site ranges from 11 metres to 25 metres based on the distance from the residential zone.

The applicant is requesting an exemption from the height transition requirements to permit a maximum height of 25 metres for the front part of the property. The associated zoning map clarifies that the requested height of 25 metres is only for the proposed building and does not permit the 25-metre height for the portion of the site that abuts the residential property. The new exception is required to remove the requirement for any transitioning in height, when a height suffix applies, which was a provision recently added to the zone through the Omnibus By-law (2022-103). The former exception of [1913] was not germane to this site and the provisions are not being carried forward.

Application History

A Site Plan Control application (City File #D07-12-18-0159) was submitted for an eight-storey, 25-metre high building on October 19, 2018 and received approval on December 10, 2019. At the time of approval, it complied with the wording in the Zoning By-law, including a 25-metre height limit. Subsequently, City Council passed an Omnibus By-law (2020-299) on October 14, 2020 to amend technical anomalies and make minor corrections to zones throughout the City, one of which pertained to the

maximum permitted height along an Arterial Mainstreet, Subzone 1 (AM1) – which included the subject site. The new Zoning By-law (2020-299) clarified wording to state that buildings in this zone must step-down in height towards residential zones, based on the depth of the development parcel.

DISCUSSION

Public consultation

Public consultation was carried out as per City Council policies with a sign on site and notice provided to registered community associations and residents within a 120-metre radius of the property. Three comments were received from members of the public. Two of them had concerns with the proposed height and traffic impacts in the neighbourhood. One had slight concerns and some questions but was supportive of intensification along Bank Street.

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

Official Plan designation(s)

Current Official Plan

The site is designated as Arterial Mainstreet, Subzone 1 (AM1) in the City of Ottawa's current Official Plan (OP). As per policy 2.2.2 (3) Arterial Mainstreets are one of the target areas for intensification. Policy 3.6.3 (10,12) states that a Mainstreet designation encourages intensification through the development of medium-density and mixed-use developments with active frontages, while becoming pedestrian- and transit-friendly, with nine-storeys being permitted as of right (subject to any secondary plans and zoning). Further direction in the Official Plan state that 90% of growth will be distributed throughout the urban area to strengthen the City's liveable communities through infill and that growth will be directed to corridors, which can support a higher density. Target areas for intensification include the redevelopment of lots that are currently vacant.

New Official Plan

The new Official Plan was approved by City Council in October 2021 but has not yet been approved by the Minister of Municipal Affairs and Housing. The site is within the Outer Urban Transect, Mainstreet Corridor with Evolving Neighbourhood Overlay. These designations, in general, encourage mid-density development with mid- and high-rise developments that transition well to abutting low-rise areas.

Policy 2.2.3 promotes a compact urban form with higher density development in areas close to transit and a wide range of services to help Ottawa become a more resilient and sustainable city. Policy 2.2.4 states that existing communities are to evolve over time to be more complete, healthy, walkable 15-minute neighbourhoods that feature a range of housing options and supporting services and amenities. Policy 3.2 supports intensification, noting that 51 per cent of urban growth will occur in the urban area with 15-minute neighbourhoods directed to, and close to hubs and corridors. Policy 6.2 (2) states that development along a Corridor shall locate the maximum heights along the Corridor and transition to low-rise designations.

Other applicable policies and guidelines

The subject lands are subject to the Bank Street Secondary Plan (which was carried forward into the new OP), which envisions the area as a “vibrant, mixed-use area with a diverse concentration of housing types, employment, shops and services, accessible by foot, bike, transit and car with improved, landscaped streetscape”. The maximum permitted height for connecting areas (such as Bank Street) is 25 metres/eight-storey building, based on distance from and transition to residential areas.

Urban Design Review Panel

The property is within a Design Priority Area and the associated Site Plan Control application was subject to the Urban Design Review Panel (UDRP) process. The applicant presented their proposal to the UDRP at a formal review meeting on January 11, 2019, which was open to the public. Some of the panel’s recommendations from the formal review of the Site Plan Control application are:

1. Ensure that all four elevations are well designed and end walls are not left blank.
2. Move the mechanical penthouse away from the residential side.
3. Be aware of the low-rise residential to the rear of the property.
4. Wrap the materials and architectural details from Bank Street to the side wall.
5. Use brick specifically on the lower portion of the building.
6. Articulate a stronger top, middle and bottom expression through material changes.
7. Add street furniture and lighting.
8. Lower the corner along Evans to transition to the lower-rise developments.

9. Step back the top floors.

10. Consider adding a garden to the rooftop amenity space.

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

1. The penthouse has been relocated to the Bank Street elevation to remove additional height abutting the low-density residential property.
2. The elevation along Evans Boulevard and the north wall of Bank Street now have additional glazing.
3. The materials have been adjusted so that a darker brick is used for the first three floors to provide scale and texture. The upper floors have lighter colours to lessen the apparent weight of the building.
4. The bus stop along Bank Street has been integrated into the site.
5. The required road widening along Bank Street has been incorporated into the drawings.
6. Some of the Bank Street facing units were reduced slightly in size to allow a 30cm setback at the pinch point along Evans Boulevard abutting the dental office.
7. Rooftop planters have been added.

The development as approved implemented many of the UDRP recommendations. The reasoning for those which could not be addressed, such as lowering the corner of the building along Evans Boulevard and stepping back the top floor, relate to the site constraints, including the road widening requirement along the west frontage and the established hydro easements and clearance requirements along both the north and northeast lot lines, which as a result reduced the buildable footprint and forced the building towards the south and east lot lines.

Planning rationale

The proposal aligns with applicable Official Plan policies for Arterial Mainstreets, the Outer Urban Transect, Mainstreet Corridors and Evolving Neighbourhoods which all encourage intensification through medium density and mixed-use developments, while promoting safe pedestrian and cycling modes of transportation.

The proposed eight-storey mixed-use building fronts onto Bank Street with active, retail uses at grade to enhance and create interest. Residential units are located on the upper

floors. A large communal amenity space is proposed at the rear of the site and will be fenced and landscaped to provide a buffer to the abutting properties.

The requested height of 25 metres for the subject building is considered suitable. The majority of the building is within the maximum permitted height of 20 metres to 25 metres, and a small portion with the maximum permitted height of 11 metres. There is one residentially zoned parcel that abuts part of the rear of the subject site and the proposed building is separated from the rear of the existing residential dwelling by over 20 metres.

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.

COMMENTS BY THE WARD COUNCILLOR

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

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk management 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

There are no direct financial implications.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Thriving Communities

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-22-0014) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to delays in receiving and reviewing comments.

SUPPORTING DOCUMENTATION

Document 1 Zoning Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Approved Site Plan

Document 5 Overlay of maximum heights on the subject site based on the current zoning

Document 6 UDRP Recommendations

CONCLUSION

Planning, Real Estate and Economic Development Department staff recommend approval of this application as it meets the policies of the Provincial Policy Statement, and the policies of the current and new Official Plan to encourage sensitive intensification along Arterial Mainstreets within mixed-use buildings that are within a walkable community and a short distance to transit. The proposed building has sufficient separation distance to the one existing low-rise residential dwelling abutting the site.

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.

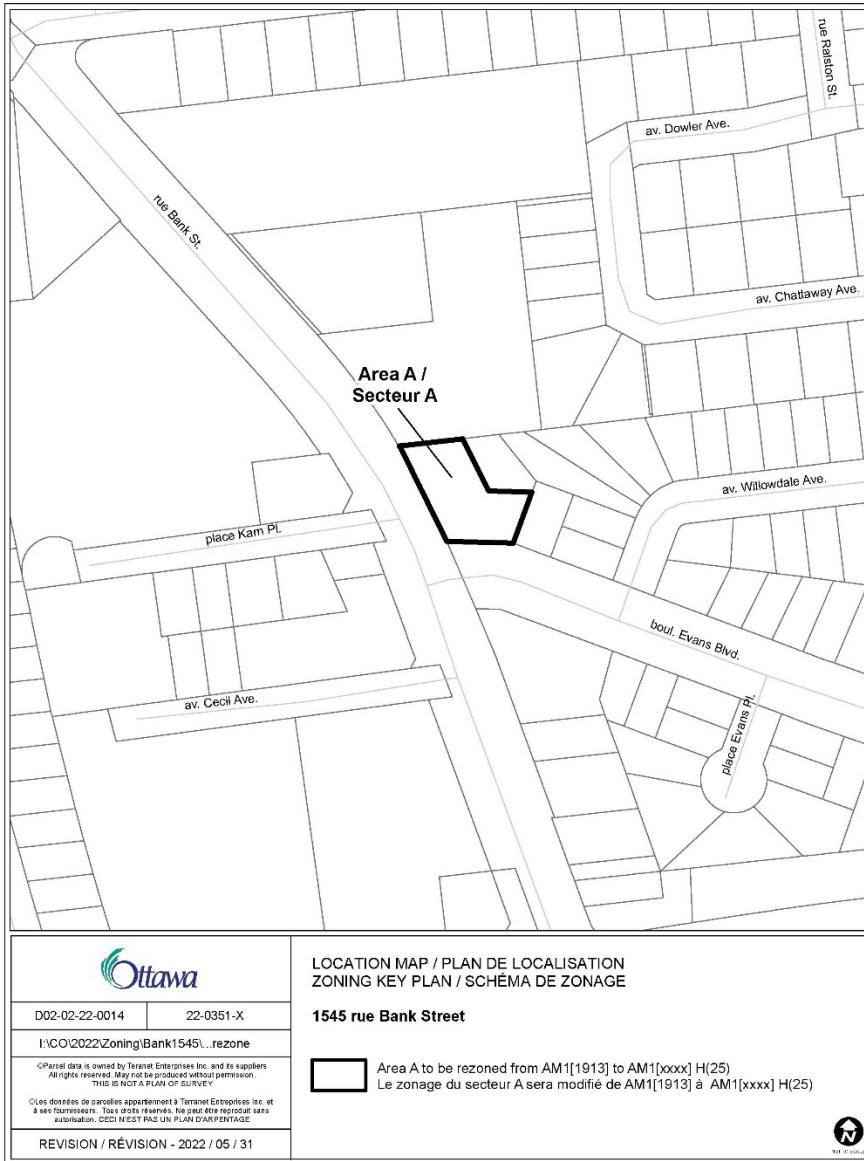
Legal Services, Innovative Client Services Department to forward the implementing by-law to City Council.

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

Document 1 – Zoning Map

For an interactive Zoning map of Ottawa visit geoOttawa

This zoning map shows the site at 1545 Bank Street with the proposed zoning change to permit a maximum height of 25 metres for a portion of the site, shown as Area A.



Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1545 Bank Street:

1. Rezone the lands as shown in Document 1.
2. Amend Section 239, Urban Exceptions, by adding a new exception similar in intent to the following:
 - a) In Column II add the text, “AM1 [xxxx] H(25)”;
 - b) In column V add the text, “185 (7) does not apply”

Document 3 – Consultation Details

Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

Three comment letters were received on this application and the comments are summarized below.

Public Comments and Responses

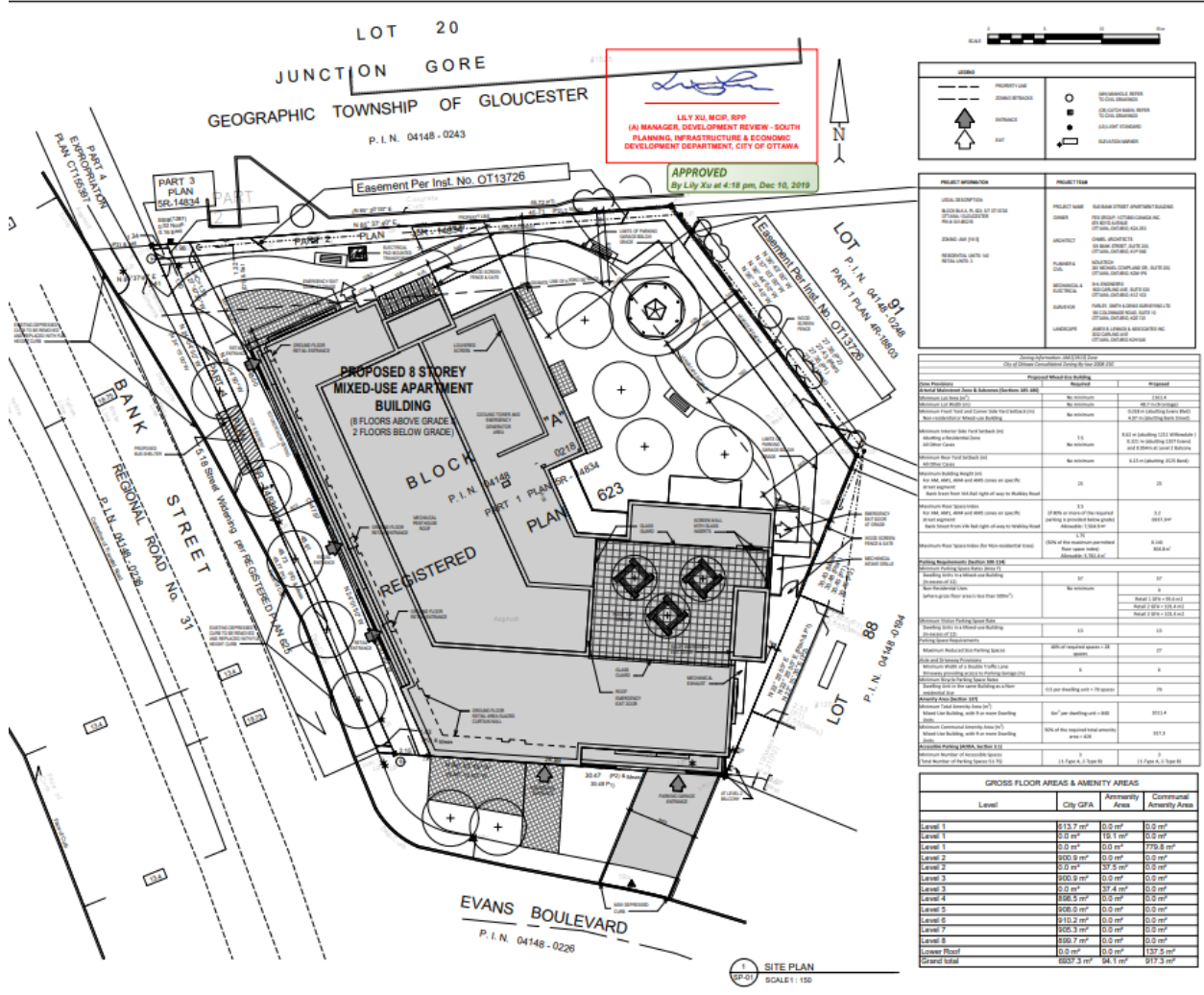
1. Concern over the size and height of the building.

City Response: The size and height of the building are considered to be appropriate and acceptable for an Arterial Road and Mainstreet, where the City is encouraging intensification. The building has been designed to minimize impacts on the abutting properties by being placed close to Bank Street, by re-locating the height of the penthouse away from the low-density residential design and by using lighter colours on the upper floors to reduce the visual impact.

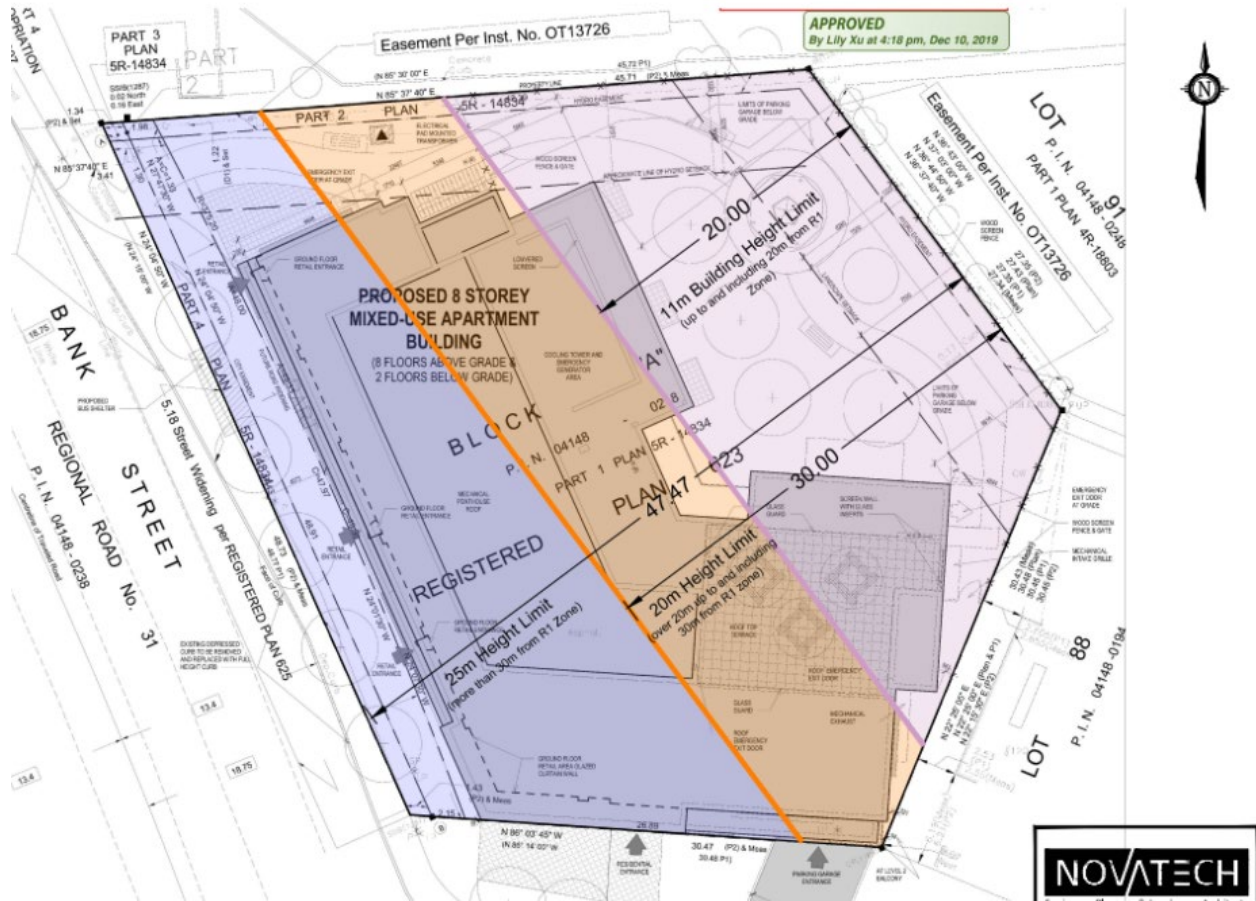
2. Concern over the potential increase in traffic on the local streets and lack of on-site parking.

City Response: Traffic data has been reviewed by the City and is considered to be acceptable. The majority of the traffic will be focused along Bank Street as the main access to the underground parking is near the end of Evans Boulevard, close to Bank Street. The Applicant is providing the required number of parking spaces as per the City of Ottawa's Zoning By-law.

Document 4 – Approved Site Plan



Document 5 – Overlay of maximum height on the subject site based on the current zoning



Document 6 – UDRP Recommendations

Urban Design Review Panel Recommendations | **January 11th, 2019**

1545 Bank | *Formal Review* | Site Plan application to construct an eight storey residential building with commercial uses at grade | FES Group; chmiel architects; Novatech Engineering Consultants Ltd.

Summary

- The Panel is supportive of many of the big moves associated with this proposal, such as the introduction of retail at the corner to animate Bank Street, the residential and parking garage entrance off Evans Avenue, as well as the street tree treatments and associated streetscape amenities.
- The Panel sees this project as precedent and context setting as this will be a building that starts to establish an urban character in a suburban area. Given this context, the building will serve as a long view termination from many vantage points for many years to come and the Panel suggests that all four elevations be designed to reflect this visibility. Further consideration should also be given to transition this building from the commercial character of Bank Street to the low-rise established residential neighbourhood to the east, is required.

Transition and Architectural Expression

- The Panel is concerned with the compatibility of this building relative to the the low-rise residential neighbourhood to the east. There is particular concern because this will likely be an isolated building for the short-to-long term, and the prospect of development on the adjacent dental office site is very low.
 - The Panel suggests lowering the corner of the building along Evans Avenue to serve as a height transition. This will set an important precedent for how new buildings on Bank Street respond to the adjacent residential areas.
- The Panel feels very strongly that the blank end wall are not appropriate, and that design alterations are required in order to improve these long view conditions and to create a positive transition toward both the residential neighbourhood to the east, and the adjacent property to the north along Bank Street.
 - Lower the wing of the building along Evans Avenue to four or six storeys, and redesign the units so that they wrap the corner. Introduce glazing and consider wrapping balconies to this side façade, as a gesture to the residential neighbourhood. Consider some smaller units to avoid

significant reductions to the unit count. In order to achieve these revisions to the Evans side façade, it will be necessary to simplify the structural grid of the building, opening up efficiencies. This can be achieved by:

- Relocating the elevator shafts to line up with the main portion of the building along Bank Street;
 - Moving the mechanical penthouse to the north, parallel with Bank Street, and away from the residential area;
 - Relocating the staircase to an internal location.
- The Panel suggests paying more attention to the north façade and avoid the appearance of 'slicing' off the building. Wrap the materials and architectural detailing from the Bank Street façade to this side wall.
- Once it is relocated to the main portion of the building, the Panel recommends lowering the mechanical penthouse. The mechanical penthouse could be integrated towards the corner of the building along an axis, thus easing the bulkiness in relation to both the commercial property to the north, and the residential area to the east.
 - The Panel agrees that the overall approach to the design of the front façade, a base of three stories with five stories above, is appropriate. Consider, however, stepping back or introducing a terrace at the top floor.
 - The Panel suggests exploring rooftop lighting schemes that can help emphasize the architecture of the building.

Materiality

- To ensure the building has a more residential and less commercial look, the Panel suggests using brick, natural materials, and other colour accents.
 - Specifically, the Panel recommends more brick cladding (particularly on the lower portions of the building) in order to reflect the character of the adjacent residential neighbourhood, and better integrate the building into its surroundings.
- The Panel suggests articulating a stronger top, middle and bottom expression through material changes, which can help to break up the massing of the building.

Public Realm and Amenity

- The Panel appreciates the public space associated with the café at the corner, and generally is supportive of the proposed public realm initiatives. With appropriate coordination of the hydro pads, gas metres, grills, and the bus stop, the overall impact on the adjacent streets can be quite positive.
 - Add street furniture and coordinated lighting to further enhance the public realm.
 - Ensure coordination with the City as it relates to road widening intentions.
- The Panel has some concern with the disconnect between where the new sidewalk meets the existing sidewalk to the north of the site. Also, ensure that the pedestrian flow, is smooth at the corner of Bank and Evans, as the dogleg at the corner seems to be slightly awkward.
- The Panel has some concerns with the limited setback between this site and the adjacent dental practice property on Evans. Requirements for shoring and screening may require more space on this side.
- The Panel suggests adding more lighting or introducing bollards to better establish an urban condition that attracts people to the site.
- Consider introducing sustainable initiatives such as adding a garden to the rooftop amenity space.