

Subject: Zoning By-law Amendment – 178 Nepean Street and 219 and 223 Bank Street

File Number: ACS2024-PDB-PS-0004

Report to Planning and Housing Committee on 4 December 2024

and Council 11 December 2024

Submitted on November 25, 2024 by Derrick Moodie, Director, Planning Services, Planning, Development and Building Services

Contact Person: Adrian van Wyk, Planner II, Development Review Central

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Ward: Somerset (14)

Objet: Modification du *Règlement de zonage* – 178, rue Nepean et 219 et 223, rue Bank

Dossier : ACS2024-PDB-PS-0004

Rapport au Comité de la planification et du logement

le 4 décembre 2024

et au Conseil le 11 décembre 2024

Soumis le 25 novembre 2024 par Derrick Moodie, Directeur, Services de la planification, Direction générale des services de la planification, de l'aménagement et du bâtiment

Personne-ressource : Adrian van Wyk, Urbaniste II, Examen des demandes d'aménagement centrale

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Quartier : Somerset (14)

REPORT RECOMMENDATIONS

1. That Planning and Housing Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 178 Nepean Street and 219 and 223 Bank Street, as shown in Document 1, to permit a nine-storey mixed-use building, as detailed in Document 2.
2. That Planning and Housing Committee approve the Consultation Details Section of this report be included as part of the ‘brief explanation’ in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* ‘Explanation Requirements’ at the City Council Meeting of December 11, 2024,” subject to submissions received between the publication of this report and the time of Council’s decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de la planification et du logement recommande au Conseil d’approuver une modification au *Règlement de zonage* n° 2008-250 pour la propriété située au 178, rue Nepean et aux 219 et 223, rue Bank, comme le montre le document 1, en vue de permettre l’aménagement d’un bâtiment polyvalent de neuf étages, comme l’explique le document 2.
2. Que le Comité de la planification et du logement donne son approbation afin que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffe 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 11 décembre 2024 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision.

EXECUTIVE SUMMARY

Staff Recommendation

Planning staff recommend approval of the Zoning By-law Amendment for 178 Nepean Street and 219 and 223 Bank Street to develop a nine-storey mixed-use building.

Relief from the Zoning By-law is requested to permit:

1. A reduced corner side yard setback of zero metres along Nepean and Lisgar Streets, and an additional three metres above a height of 15 metres, whereas a corner side yard setback of three metres, and an additional two metres above a height of 15 metres, is required;
2. A reduced rear yard setback of zero metres, whereas 7.5 metres is required where the lot abuts a residential zone;
3. A reduced minimum width of landscaped area abutting a residential zone of zero metres, whereas three metres is required;
4. An increased maximum building height of 30 metres (nine storeys), whereas site specific provisions require a maximum building height of 19 metres; and
5. Exemption from Section 60 of the Zoning By-law – the Heritage Overlay.

Additionally, through application review, the following provisions are recommended to be included in a site-specific exception:

1. A minimum required bicycle parking rate of one space per unit;
2. A minimum of six per cent of units (at least 16) will be three-or-more bedroom units;
3. For clarity, the provisions of Sections 64 and 65 with respect to projections continue to apply.
4. For clarity, no motor vehicle parking is required to be provided.

The proposal aligns with applicable Official Plan policies for Centretown. The subject site is located in the Downtown Core Transect and is designated Mainstreet Corridor within a Hub. The subject site is also located in the Central and East Downtown Core Secondary Plan area, in terms of which it is located in the North sector of the Centretown Character Area and designated Corridor.

Applicable Policy

The following policies support this application:

- The proposal represents an urban form of development in terms of site and building design, includes a mix of uses and prioritizes active transportation, as required under Section 5.1 of the Official Plan for the Downtown Core Transect.

- The proposed development supports the City’s transit system in terms of density in proximity to higher order transit, as directed under Section 6.2 of the Official Plan for Mainstreet Corridors.
- The proposal for 263 residential units on a site area of 1,943 square metres represents a density of 1,354 units per hectare, which meets and exceeds the minimum density target in Section 3.2 of the Official Plan.
- The proposed building height of nine storeys (30 metres) is consistent with the maximum permitted building height for development at this location, as provided under the Central and East Downtown Core Secondary Plan.
- The proposal includes active frontages and ground floor uses along the full Bank Street frontage. Six ground floor commercial units are proposed to contribute towards the vitality of Centretown as a 15-minute neighbourhood and support pedestrian-scale activity, as required by the Central and East Downtown Core Secondary Plan.
- The proposed retention and restoration of the existing historic buildings is consistent with the policies of the Centretown and Minto Park HCD Plan. The new addition has been designed in such a way as to make it visually compatible with, subordinate to and distinguishable from the existing properties.

Other Matters

The subject site is located within the Centretown and Minto Park Heritage Conservation District (HCD) and is designated under Part V of the *Ontario Heritage Act*. All four buildings are classified as “contributing buildings” under the Centretown and Minto Park HCD Plan. A Heritage Permit is required to facilitate the development.

Public Consultation/Input

A virtual public information session was held on March 14, 2023. During circulation and application review staff received comments from the public (approximately 360 submissions) and the Centretown Community Association.

RÉSUMÉ

Recommandations du personnel

Le personnel de la planification recommande d’approuver la modification du *Règlement de zonage* pour le 178, rue Nepean et les 219 et 223, rue Bank en vue de l’aménagement d’un bâtiment polyvalent de neuf étages.

Une dispense du *Règlement de zonage* est requise pour permettre ce qui suit :

1. Une réduction du retrait de cour latérale d'angle à 0 mètre le long des rues Nepean et Lisgar ainsi qu'un ajout de 3 mètres au-dessus des 15 mètres de hauteur réglementaires, au lieu du retrait de 3 mètres et de l'ajout de 2 mètres aux 15 mètres réglementaires;
2. Une réduction du retrait de cour arrière à 0 mètre, au lieu des 7,5 mètres réglementaires pour un lot qui jouxte une zone résidentielle;
3. Une réduction de la largeur minimale de l'aire paysagée jouxtant une zone résidentielle à 0 mètre, au lieu des 3 mètres réglementaires;
4. Une augmentation de la hauteur maximale du bâtiment à 30 mètres (9 étages), au lieu des 19 mètres prévus dans les dispositions propres au site;
5. Une exemption de l'article 60 du *Règlement de zonage*, « Secteur désigné à valeur patrimoniale ».

De plus, après l'examen de la demande, il est recommandé de formuler une exception propre au site renfermant les dispositions suivantes :

1. Un taux de stationnement minimal pour vélo d'une place par logement;
2. Un minimum de 6 % des unités (au moins 16) comprendront au moins 3 chambres à coucher;
3. Il est entendu que les dispositions sur les saillies prévues aux articles 64 et 65 continuent à s'appliquer;
4. Il est entendu qu'il n'est pas nécessaire de prévoir de places de stationnement pour les véhicules automobiles.

La proposition s'harmonise avec les politiques applicables du Plan officiel qui visent le centre-ville. Le site se trouve dans le transect du cœur du centre-ville et est désigné comme couloir de rue principale dans un carrefour. Il se trouve également dans la zone visée par le Plan secondaire du cœur et de l'est du centre-ville, aux termes duquel il se situe dans le secteur pittoresque du nord du centre-ville et le couloir désigné.

Politiques applicables

La demande cadre avec les politiques suivantes :

- Le projet propose une forme d'aménagement urbain en ce qui concerne la configuration du site et la conception du bâtiment. Il prévoit différentes utilisations

et priorise le transport actif, conformément à la sous-section 5.1 du Plan officiel, « Le transect du cœur du centre-ville ».

- Le projet s'arrime au réseau de transport en commun de la ville étant donné la densité qu'il apportera à proximité de transports en commun de qualité supérieure, conformément à la sous-section 6.2 du Plan officiel, pour les couloirs de rues principales.
- Les 263 unités résidentielles prévues sur ce site de 1 943 mètres carrés apporteront une densité de 1 354 unités par hectare, ce qui dépasse la cible de densité minimale énoncée à la sous-section 3.2 du Plan officiel.
- La hauteur de bâtiment proposée de 9 étages (30 mètres) respecte le maximum autorisé pour cet emplacement, conformément au Plan secondaire du cœur et de l'est du centre-ville.
- Le projet comprend des utilisations actives du rez-de-chaussée tout le long de la façade donnant sur la rue Bank. Six unités commerciales au rez-de-chaussée sont proposées pour contribuer au dynamisme du centre-ville comme quartier du quart d'heure et encourager les activités piétonnes, conformément au Plan secondaire du cœur et de l'est du centre-ville.
- L'idée de conserver et de restaurer les bâtiments historiques concorde avec les politiques du Plan des districts de conservation du patrimoine (DCP) du centre-ville et du parc Minto. Le nouvel élément a été conçu de manière à être visuellement compatible avec les propriétés existantes, à y être subordonné et à s'en distinguer.

Autres questions

Le site visé est situé dans les DCP du centre-ville et du parc Minto; il est désigné aux termes de la partie V de la *Loi sur le patrimoine de l'Ontario*. Les quatre bâtiments sont considérés comme des « biens-fonds contributifs » aux termes du plan des DCP du centre-ville et du parc Minto. Le projet nécessite un permis patrimonial.

Consultation publique/commentaires

Une séance d'information virtuelle s'est tenue le 14 mars 2023. Pendant la diffusion et l'examen de la demande, le personnel a reçu des commentaires du public (environ 360 commentaires) et de la Centretown Community Association.

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

178 Nepean Street and 219 and 223 Bank Street

Owner

217 Nepean Street Holdings Inc. and 211-231 Bank Street Holdings Inc.

Applicant

Fotenn Planning + Design

Architect

NEUF Architects

Description of site and surroundings

The subject site consists of three properties (178 Nepean Street and 219 and 223 Bank Street), located on the east side of Bank Street between Nepean and Lisgar Streets in Centretown. The site has frontage on Bank, Nepean and Lisgar Streets and is roughly rectangular in shape with an area of 1,943 square metres (0.19 hectares). Four existing low-rise buildings between two and three storeys are present on the site, which currently include ground-floor commercial uses and residential dwelling units above.

The subject site is located within the Centretown and Minto Park Heritage Conservation District (HCD) and is designated under Part V of the *Ontario Heritage Act*. All four buildings are classified as “contributing buildings” under the Centretown and Minto Park HCD Plan.

The immediately surrounding context includes low-, mid- and high-rise buildings with mixed office, commercial and residential uses. The section of Bank Street onto which the subject site fronts has an approximate 18-metre width and a mainstreet corridor character. Sidewalks are narrow and street trees are limited. The side streets (Nepean and Lisgar) are one-way streets with angled street parking immediately in front of the subject site. The site is within a 400-metre radius of the Parliament O-Train Station (an approximate ten-minute walking distance).

Summary of proposed development

The proposed redevelopment of the subject site involves the retention and restoration of the existing historic buildings, which will form the base of the new building, and construction of a nine-storey mid-rise addition atop. The new addition is proposed to be set back approximately three metres from the edges of the existing historic buildings on the Nepean, Bank and Lisgar sides and is U-shaped, with a rooftop amenity area at the second level in the middle. The addition is proposed to be clad in a mixture of off-white masonry and grey and off-white metal paneling to distinguish it from the base of the building. Renderings of the proposed building are included as Document 6.

The proposed building will include six ground-floor commercial units and 263 residential dwelling units. A mix of unit sizes are proposed, including 220 studio units, 24 one-bedroom units, three two-bedroom units and 16 three-bedroom units. Amenity space is proposed in accordance with Section 137 of the Zoning By-law, including 598 square metres of private amenity space and 1,002 square metres of communal amenity space on the second storey rooftop in the middle of the site and internal to the building. No vehicular parking is proposed, and 264 bicycle parking spaces are proposed. The proposal is also subject to approval of a Heritage Permit (file number D09-04-23-0009) and Site Plan Control (file number D07-12-22-0188).

Summary of requested Zoning By-law amendment

The subject site is currently zoned TM H(19) – Traditional Mainstreet Zone, Height Limit 19 Metres. The applicant seeks a Zoning By-law Amendment to facilitate the redevelopment of the site. Relief from the Zoning By-law is requested to permit:

6. A reduced corner side yard setback of zero metres along Nepean and Lisgar Streets, and an additional three metres above a height of 15 metres, whereas a corner side yard setback of three metres, and an additional two metres above a height of 15 metres, is required;
7. A reduced rear yard setback of zero metres, whereas 7.5 metres is required where the lot abuts a residential zone;
8. A reduced minimum width of landscaped area abutting a residential zone of zero metres, whereas three metres is required;
9. An increased maximum building height of 30 metres (nine storeys), whereas site specific provisions require a maximum building height of 19 metres; and
10. Exemption from Section 60 of the Zoning By-law – the Heritage Overlay.

Additionally, through application review, the following provisions are recommended to be included in a site-specific exception:

5. A minimum required bicycle parking rate of one space per unit;
6. A minimum of six per cent of units (at least 16) will be three-or-more bedroom units;
7. For clarity, the provisions of Sections 64 and 65 with respect to projections continue to apply.
8. For clarity, no motor vehicle parking is required to be provided.

The merits of the application for the Zoning By-law Amendment have been evaluated under the authority of the *Planning Act*. Matters relating to Site Plan Control are under review per the associated Site Plan Control application. Heritage approvals are being sought under the authority of the *Ontario Heritage Act*.

DISCUSSION

Public consultation

A virtual public information session was held on March 14, 2023. The meeting was attended by staff, the applicant team, Councillor Troster's office, and members of the community, including residents of the existing buildings from the subject site. Questions were asked about the method of construction, the conservation approach to the historic buildings, the nature of the new units, affordability, the developer, parking and sustainability. Concerns were raised that existing tenants will be required to relocate. Some support was shown for the preliminary building massing and interest was expressed in maintaining the subject site as an artist hub.

During circulation and application review staff received comments from the public (approximately 360 submissions) and the Centretown Community Association. A summary of comments and responses is included as Document 4. Public feedback was relayed to the applicant during review. The majority of concerns expressed by the public related to the impact of the development on existing residents. The proposal has undergone three rounds of review to date and was refined over time in response to public comments and feedback from City staff.

For this proposal's consultation details, see Document 4 of this report.

Official Plan designation(s)

The subject site is located in the Downtown Core Transect and is designated Mainstreet Corridor within a Hub. Development within the Downtown Core Transect is intended to follow an urban pattern of built form, site design and mix of uses, and prioritize active transportation. The tallest buildings and greatest densities are intended to be located in the Downtown Core Transect. Lands designated Mainstreet Corridor are intended to accommodate higher densities of development, greater degrees of mixed uses and higher levels of transit service than surrounding Neighbourhoods.

The subject site is also located in the Downtown Protected Major Transit Station Area (PMTSA) and a Design Priority Area (DPA). Within PMTSAs minimum density targets are applicable in an effort to increase future density of development around transit. Vehicular parking is not required for development within a PMTSA. DPAs are identified in order to promote design excellence through the development review process, and with respect to capital projects in the public realm. Design excellence is intended to be achieved in part through the recognition and conservation of cultural heritage resources. Certain types of development within DPAs are required to be reviewed by the City's Urban Design Review Panel (UDRP).

Other applicable policies and guidelines

The subject site is located in the Central and East Downtown Core Secondary Plan area, in terms of which it is located in the North sector of the Centretown Character Area and designated Corridor. It is subject to a maximum height limit of nine storeys. Development within the Secondary Plan area generally is intended to contribute positively to the entire adjacent public realm, to provide a continuity of active frontages along the ground floor (continuous at-grade retail with public access is required along Bank Street) and to provide adequate weather protection features.

The proposal is also subject to the guidelines of the Centretown Community Design Plan (CDP). Under that Plan, the subject site is designated Traditional Mainstreet and is subject to a maximum height limit of nine storeys or 30 metres. Traditional Mainstreets should accommodate retail shops and other commercial uses that will appeal to both the local and regional markets and provide pedestrian-oriented active commercial uses at-grade.

Heritage

The subject site is located within the Centretown and Minto Park Heritage Conservation District (HCD) and is designated under Part V of the *Ontario Heritage Act*. All four buildings are classified as "contributing buildings" under the Centretown and Minto Park

HCD Plan. The objectives of the Plan are, among others, to ensure the retention and conservation of the Districts' cultural heritage values and heritage attributes and to retain and conserve buildings, structures and open spaces that contribute to the cultural heritage value and appearance of the HCD. Contributing properties are considered to have design, historic and/or associative value or contextual value and are intended to be retained and conserved. New additions to Contributing properties shall be physically and visually compatible with, subordinate to and distinguishable from the existing properties.

Urban Design Review Panel

The property is within a Design Priority Area and the Zoning By-law Amendment application and Site Plan Control application was subject to the Urban Design Review Panel (UDRP) process. The applicant presented their proposal to the UDRP at a formal review meeting, which was open to the public.

The formal review meeting for the applications was held on March 21, 2023.

The panel's recommendations from the formal review of the Zoning By-law Amendment application and Site Plan Control application are included as Document 5.

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

- The conservation and restoration strategy for the existing historic buildings has been clarified.
- Proposed materials are light in colour, which is considered more environmentally friendly and will assist in distinguishing the new addition from the existing historic buildings.

The following recommendations of the panel were not implemented:

- The planting of additional street trees on Bank Street is not possible due to the many conflicts with underground utilities.
- The expansion of the public realm along Nepean and Lisgar Streets is not being proposed at this time.
- Awnings and canopies are not being proposed along Bank Street to avoid cluttering the public realm.
- Most communal amenity area has been relocated to the interior of the building, but the rooftop amenity area at the second floor in the middle of the site remains.

Planning rationale

The proposed Zoning By-law Amendment has been evaluated on its planning merits and for its consistency with City planning policy under the authority of the *Planning Act*. The relief sought from the provisions of the Zoning By-law are recommended for approval as per the reasons below.

The proposal is consistent with the Official Plan policies for development in the Downtown Core Transect and the Mainstreet Corridor designation. The proposal represents an urban form of development in terms of site and building design, includes a mix of uses and prioritizes active transportation. No motor vehicle parking is required or proposed and a bicycle parking ratio of at least one space per unit is sought. The proposed development supports the City's transit system in terms of density in proximity to higher order transit. The minimum residential density target for sites within the Downtown PMTSA is 350 dwellings per net hectare. The proposal for 263 residential units on a site area of 1,943 square metres represents a density of 1,354 units per hectare, which meets and exceeds the minimum density target. Table 3a of the Official Plan provides that intensification in the Downtown PMTSA should include a minimum 5 per cent and a target of 10 per cent of residential dwelling units be large-household dwellings (i.e., three or more bedrooms or an equivalent floor area). 16 of the proposed 263 residential units (6 per cent) are proposed as three-bedroom units, which exceeds the minimum 5 per cent target. The most recent iteration of the proposal incorporates some of the recommendations of the UDRP in an attempt to achieve design excellence.

The proposal is consistent with the policies of the Central and East Downtown Core Secondary Plan and the guidelines of the Centretown CDP. The proposed building height of nine storeys (30 metres) is consistent with the maximum permitted building height. The proposal includes active frontages and ground floor uses along the full Bank Street frontage. Six ground floor commercial units are proposed to contribute towards the vitality of Centretown as a 15-minute neighbourhood and support pedestrian-scale activity.

The relief sought from the provisions of Section 60 of the Zoning By-law (the Heritage Overlay) is appropriate in this instance. The proposed retention and restoration of the existing historic buildings is consistent with the policies of the Centretown and Minto Park HCD Plan. The new addition has been designed in such a way as to make it visually compatible with, subordinate to and distinguishable from the existing properties.

The upper storeys of the building will be set back at least three metres of the edges of the existing buildings to ensure the visual prominence of the base of the building and an overall built form that is pedestrian-scaled and consistent with the intent of the TM zone.

Although a minimum three-metre corner side yard setback is required along Nepean and Lisgar Streets and a minimum 7.5-metre rear yard setback is required where the lot abuts a residential zone, the relief sought from these provisions and for the minimum width of a landscaped area abutting a residential zone are appropriate in this context as the existing buildings on the site represent lot-line-to-lot-line development. The massing of the proposed addition, arranged in a U-shape, will enable some separation between the building and neighbouring development and ensure that interior-facing units will receive adequate natural light and air. These details are proposed to be secured by way of a zoning schedule and exception.

Provincial Planning Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2024 Provincial Planning Statement.

RURAL IMPLICATIONS

There are no rural implications associated with the recommendations of this report.

COMMENTS BY THE WARD COUNCILLOR(S)

Councillor Troster indicated the following:

“Ottawa loses 31 units of affordable housing in the private market for every single unit of affordable housing built by a non-profit provider. The limits of consideration under the *Planning Act* are strict, and bloodless – evaluating a building on the merits of setbacks, stepbacks and proposed uses doesn’t tell us what a building means to its tenants, both in terms of community and the actual cost of living. While this application would be an addition in terms of pure units, it’s approval would weigh heavily in the 31:1 ratio for affordable housing loss. Four years ago, council declared a housing emergency in the City of Ottawa. As we go without a strong city response on housing loss, more and more of our neighbours are entering core housing need, often for the first time in their lives. I will not be supporting the application.”

LEGAL IMPLICATIONS

With the passage of Bill 185, as amended, a zoning by-law amendment is only subject to appeal by “specified persons”, essentially utility providers and government entities, and the registered owner of a parcel of land subject to the amendment. If Council determines to refuse the amendment, reasons must be provided. It is anticipated that a hearing of five days would be required. It would be necessary for an external planner to be retained.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with the recommendations of this report.

ASSET MANAGEMENT IMPLICATIONS

There are no servicing constraints identified for the proposed rezoning at this time. Servicing capacity requirements to be confirmed at time of site plan. Sanitary capacity availability is only provided as a guide at time of rezoning. Allocation of sanitary capacity is typically committed on a first come first served basis at time of site plan application.

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 the existing Planning Services operating budget.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

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

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-22-0127) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity of issues relating to site design and heritage conservation, and changes to the applicant team during periods of review.

SUPPORTING DOCUMENTATION

Document 1 Zoning Key Map

Document 2 Details of Recommended Zoning

Document 3 Height Schedule

Document 4 Consultation Details

Document 5 Urban Design Review Panel Recommendations

Document 6 Renderings

CONCLUSION

Planning staff support the proposed Zoning By-law Amendment based on its planning merits as it is consistent with the Official Plan and the Central and East Downtown Core Secondary Plan.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Krista O'Brien, Program Manager, Property Assessments and PILTS, Finance and Corporate Services Department (Mail Code: 26-76) of City Council's decision.

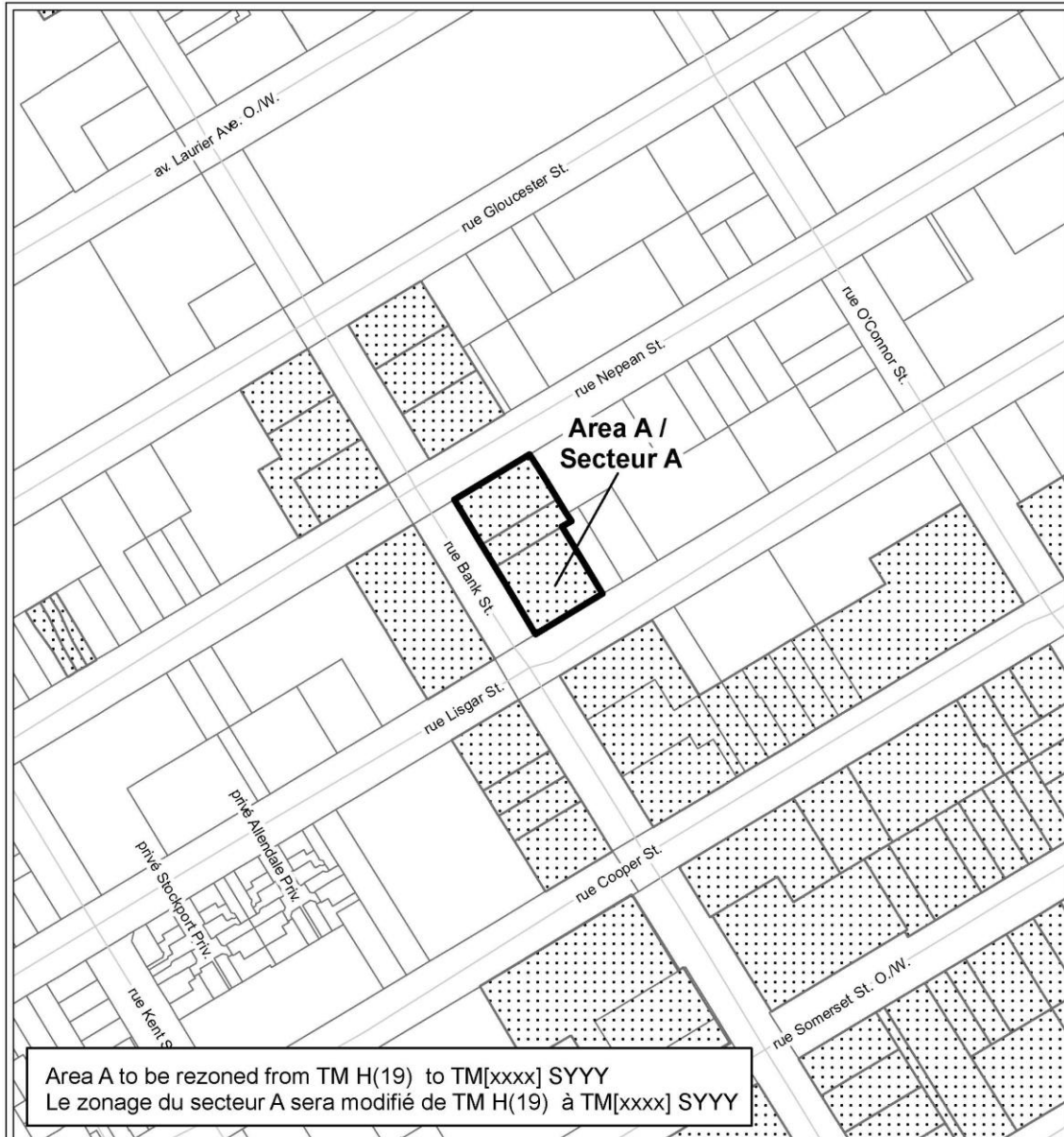
The Planning, Development and Building Services Department will prepare an implementing by-law and forward it to Legal Services.

Legal Services, City Manager's Office to forward the implementing by-law to City Council.

Planning Operations, Planning Services to undertake the statutory notification.

Document 1 – Zoning Key Map

For an interactive Zoning map of Ottawa visit geoOttawa



Area A to be rezoned from TM H(19) to TM[xxxx] SYYY
 Le zonage du secteur A sera modifié de TM H(19) à TM[xxxx] SYYY

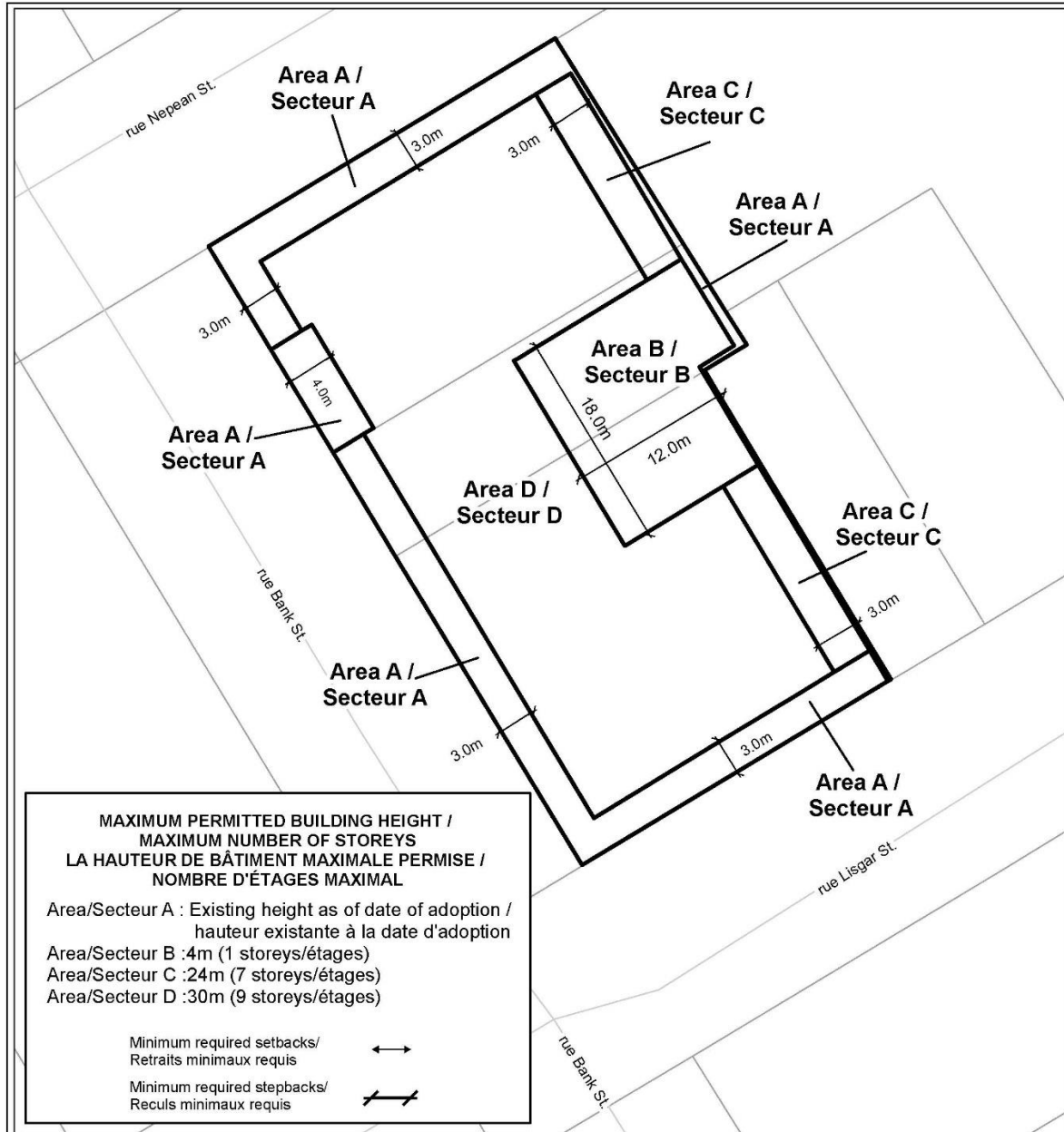
		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-22-0127	24-1204-X	178 rue Nepean Street, 219, 223 rue Bank Street	
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<small>©Parcel data is owned by Terranet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY</small>		Heritage (Section 60) Patrimoine (Article 60)	
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REVISION / RÉVISION - 2024 / 10 / 28			

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 178 Nepean Street and 219 and 223 Bank Street:

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, “TM[xxxx] SYYY”.
 - c. In Column V, Provisions, add the text:
 - i. “The maximum building heights and minimum yard setbacks and building setbacks are as per Schedule YYY.”
 - ii. “Permitted projections listed in Section 64 and 65 are not subject to the height limits, setbacks and setbacks shown in Schedule YYY.”
 - iii. “Minimum width of a landscaped area abutting a residential zone: 0m.”
 - iv. “Section 60 does not apply.”
 - v. “Despite Section 111, the minimum required bicycle parking rate is 1 space per dwelling unit.”
 - vi. “A minimum of 6 per cent of residential dwelling units and no fewer than 16 are to be provided as three- or more bedroom units.”
 - vii. “Despite any provision to the contrary, no motor vehicle parking is required.”
3. Add Document 3 as new schedule YYY to Part 17 – Schedules.

Document 3 – Height Schedule




**MAXIMUM PERMITTED BUILDING HEIGHT /
 MAXIMUM NUMBER OF STOREYS
 LA HAUTEUR DE BÂTIMENT MAXIMALE PERMISE /
 NOMBRE D'ÉTAGES MAXIMAL**

Area/Secteur A : Existing height as of date of adoption /
 hauteur existante à la date d'adoption
 Area/Secteur B : 4m (1 storeys/étages)
 Area/Secteur C : 24m (7 storeys/étages)
 Area/Secteur D : 30m (9 storeys/étages)

Minimum required setbacks/
 Retraits minimaux requis ↔


Minimum required stepbacks/
 Reculs minimaux requis ↗↖



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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 4 – Consultation Details

Notification and Consultation Process

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

A virtual public information session was held on March 14, 2023. The meeting was attended by staff, the applicant team, Councillor Troster's office, and members of the community, including residents of the existing buildings from the subject site. Questions were asked about the method of construction, the conservation approach to the historic buildings, the nature of the new units, affordability, the developer, parking and sustainability. Concerns were raised that existing tenants will be required to relocate. Some support was shown for the preliminary building massing and interest was expressed in maintaining the subject site as an artist hub.

Public Comments and Responses

Support

- Comments were received in support of the proposed density of the development, the proposal not to include motor vehicle parking, the number of bicycle parking spaces proposed and the proposed unit mix of the building.

Response: The proposed density and mix unit of the development are supported by City planning policy. As per the provisions of the *Planning Act* relating to PMTSAs, no motor vehicle parking is required for the development. The number of proposed bicycle parking spaces exceeds the minimum required ratio under the Zoning By-law (0.5 spaces per unit). For the reasons outlined in the report, staff recommend approval of the Zoning By-law Amendment.

Uses

- It is recommended that active storefronts be provided at grade and extended along the side streets.

Response: Six ground floor commercial units are proposed with individual active entrances along Bank Street and windows along the side streets in accordance with the Zoning By-law.

Built Form

- Concern is expressed with the proposed height of the building, which is not currently permitted under zoning, and that it is inconsistent with the immediately surrounding context and will create adverse wind and shadow impacts. There is concern that the building is not set back from the street to allow for new green space and that it will obstruct views. It is recommended that the building massing be reoriented to increase natural light for new units.

Response: The proposed building height is consistent with the policies of the Central and East Downtown Core Secondary Plan. The planned context of the immediately surrounding area will allow for buildings taller than nine storeys in the future. Wind and shadow impacts were evaluated during application review, and it is believed that the new building will not produce adverse impacts. Increased setbacks are not possible with the retention strategy proposed for the existing historic buildings. There are no protected views along this section of Bank Street. The upper storeys of the building are designed in a U-shaped to ensure that exterior and interior facing units receive maximum sunlight and air.

Density

- There is concern with the proposed density of the development (that too many units, and especially small units are proposed, and that the site is not capable of supporting them).

Response: The density target of 350 dwellings per net hectare for intensification in the Downtown PMTSA is provided under Section 3 of the Official Plan. The proposal for 263 residential units on a site area of 1,943m² represents a density of 1,354 units per hectare, which meets and exceeds the minimum density target. Limits on density are provided through maximum building height limits and site design per the Official Plan and Central and East Downtown Core Secondary Plan. The proposed building height and site design is supported by the policy framework.

Transportation

- Concerns were expressed with the proposal not to include motor vehicle parking, especially for visitors. Concern is expressed that the new development will cause traffic congestion through additional loading and deliveries. There is also concern with the number of bicycle parking spaces proposed and a recommendation that active transportation be prioritized.

Response: Section 34(1.1)(a) of the *Planning Act* provides that a zoning by-law may not require an owner or occupant of a building or structure to provide and maintain parking facilities, other than parking facilities for bicycles, on land that is not part of a highway and that is located within a Protected Major Transit Station Area (PMTSA). As the subject site is located within the Downtown PMTSA, no motor vehicle parking is required. A Transportation Impact Assessment (TIA), dated September 2024, was prepared and submitted by CGH Transportation in support of the proposed development. The TIA recommends several transportation demand measures, such as the displaying of transit maps and route information, multimodal travel options packages for new residents and the provision of a bicycle repair station. No residential or visitor motor vehicle parking is proposed, and residents of the new building will be required to be informed of such. It is therefore expected that new residents will not own private motor vehicles. 264 bicycle parking spaces are proposed for 263 residential dwelling units, resulting in a ratio of at least one space per unit, which exceeds the minimum required rate of 0.5 spaces per unit under the Zoning By-law.

Timing

- Concern is expressed that there are too many proposed developments on the same block at the same time.

Response: The block on which the subject site is located is expected to undergo significant change in the future, for which approvals have been granted. Each application that is submitted is evaluated on its own merits. Coordination between approved projects will be required if construction activities are to occur simultaneously.

Materiality

- There is concern that the dark materials proposed will absorb heat rather than reflect it, and that they do not fit with the neighbouring context.

Response: The proposal has been revised with off-white and grey masonry and metal paneling to be used for cladding on the upper storeys. Planning and Heritage staff will review proposed materials through the Site Plan Control and Heritage Permit processes to ensure consistency with Council-approval plans, including the Centretown and Minto Park HCD Plan.

Heritage

- On the one hand, there is concern that the existing historic buildings will be demolished, or that they will not be meaningfully retained, conserved and

maintained; on the other hand, there is a recommendation to demolish the existing buildings and start anew. Some concern is expressed that the proposal diminishes existing heritage character and that modern addition atop existing heritage buildings is architecturally unappealing.

Response: The subject site is located in the Centretown and Minto Park HCD and is designated under Part V of the *Ontario Heritage Act*. A Heritage Permit will be required to make alterations to the existing buildings. The proposal includes the retention of all three façades of the existing historic buildings (along Bank, Lisgar and Nepean Streets), and is an approach supported by the Centretown and Minto Park HCD Plan. A masonry restoration plan has been submitted, which will be required to be followed to ensure proper stabilization and restoration is undertaken. The Centretown and Minto Park HCD Plan provides guidance on integrating existing heritage buildings into new development. This includes direction on items such as setbacks, materials, and heights to ensure the heritage character of the historic façades remain the focal point of the project.

Sustainability

- It is recommended that additional trees be planted, that net-zero carbon innovation be considered and that sustainable design features be included, such as green roofs and permeable paving. Concern is expressed with the environmental impacts of construction (materials, vehicle emissions, etc.).

Response: Due to the presence of underground infrastructure along Bank, Lisgar and Nepean Streets, opportunities for tree-planting are limited. Existing trees along Bank Street are proposed to be retained and protected during construction. An additional street tree is proposed on Nepean Street. Staff will continue to work with the developer through the Site Plan Control process to encourage the introduction of sustainable design features to the proposal. Construction-related activities will be required to follow applicable municipal by-laws and provincial legislation.

Unit Mix

- There is concern with the proposed unit mix of the building and the size of the proposed units. Concern has been expressed that the proposal does not include rent-controlled or affordable units.

Response: The design of units will be required to meet the provisions of the Ontario Building Code. A mix of unit sizes are proposed, including 220 studio units, 24 one-bedroom units, three two-bedroom units and 16 three-bedroom

units (6% of total unit count). The number of proposed large-sized dwelling units exceeds the minimum target of 5% under Table 3a of the Official Plan. While the City is currently studying the feasibility of implementing inclusionary zoning as a tool to include affordable units in future developments, no such policy applies to this development and the applications.

Impact on Existing Residents

- Concern is expressed that existing residents will be required to relocate prematurely and that they will not be able to find suitable alternative housing or be assisted with relocation and become unhoused. Additionally, there are concerns that existing tenants will have to move further away and that they will lose their connections to their community and not be offered the opportunity to return after redevelopment. It has been recommended that rent-geared-to-income units be provided for existing residents and that a renoviction ban be passed.
- There is concern with the loss of existing artist studios and the cultural value of the block as an “artists hub”.

Response: The concerns of the public have been relayed to the applicant during review of the application for its consideration. As it relates to the proposed Zoning By-law Amendment, the proposal has been evaluated in accordance with the provisions of the *Planning Act* and City of Ottawa Official Plan. Residential tenancies in Ontario are regulated by the provisions of the *Residential Tenancies Act*. The Zoning By-law Amendment process runs independently of any processes that might be triggered under the *Residential Tenancies Act*. Section 34(1) of the *Planning Act* provides that zoning by-laws may be passed by the councils of local municipalities to regulate such matters as restricting the use of land; restricting erecting, location or using of buildings; marshy lands; contaminated lands and sensitive or vulnerable areas; natural features and areas; significant archaeological resources; construction of buildings or structures; minimum elevation of doors; loading or parking facilities; the restriction of parking facilities; pits and quarries; area, density and height; and the prohibition of the use of land. Section 34 of the *Planning Act* is limited to the physical development and use of the subject site. The City is currently studying the feasibility of implementing inclusionary zoning as a tool to include affordable units in future developments. On May 1, 2024 ([ACS2024-OCC-CCS-0045](#)) City Council directed staff to conduct a preliminary assessment on the feasibility of developing an anti-renovictions by-law. No such by-law

was in place at the time of receiving this application or when preparing this report, and as such would not apply to this development.

Neighbourhood Challenges

- Concern is expressed with a sense of neighbourhood decline, the changing character of the neighbourhood, aging infrastructure and lack of adequate transit. There is also concern with mental health and substance-related issues and with feelings of unsafety and increased crime in the neighbourhood.

Response: The concerns of the public have been relayed to the applicant during review of the application for its consideration. Planning staff have evaluated the merits of the proposal in accordance with applicable City planning policy. The Department supports the proposed Zoning By-law Amendment as the proposal is consistent with the Official Plan and the Central and East Downtown Core Secondary Plan.

Waste Collection

- There are concerns that the garbage room is hard to access and it is recommended that garbage chutes be removed.

Response: Recycling, garbage and organics rooms are provided on the ground floor of the building, with direct access to Lisgar Street for removal. Residents will access these rooms by way of a dedicated corridor leading to the lobby and amenities.

Community Benefits

- It is recommended that the developer make a financial contribution to community housing.

Response: The proposal is subject to a Community Benefit Charge (CBC) in accordance with Section 37 of the *Planning Act* and Community Benefits Charge By-law 2022-307 of the City of Ottawa. Funds collected through CBCs are allocated to prioritized capital projects in the Ward in which the development is located, as identified by the ward Councillor. The CBC amount is determined at the time of Site Plan Approval and payable prior to Building Permit issuance.

Community Organization Comments and Responses

- The Centretown Community Association (CCA) is supportive of additional mixed-use infill and the preservation of the existing historic buildings. There is support for the design of the upper floors of the building and the number of proposed

bicycle parking spaces. The CCA recommends exploring providing affordable units and improved landscaping.

Response: The provision of a mix of uses at this location is supported by City planning policy. Staff recommended that a provision be included in the proposed Zoning By-law Amendment to require a minimum bicycle parking rate of one space per unit. Staff will continue to explore landscaping opportunities through the associated Site Plan Control application.

Document 6 – Renderings



