

**Subject: Official Plan and Zoning By-law Amendment, 641 Rideau Street**

**File Number: ACS2022-PIE-PS-0002**

**Report to Planning Committee on 27 January 2022**

**and Council 9 February 2022**

**Submitted on January 17, 2022 by Lily Xu, Acting Director, Planning, Real Estate  
and Economic Development**

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**Ward: Rideau-Vanier (12)**

**Objet : Modification du Plan officiel et du Règlement de zonage visant le  
641, rue Rideau**

**Dossier : ACS2022-PIE-PS-0002**

**Rapport au Comité de l'urbanisme**

**le 27 janvier 2022**

**et au Conseil le 9 février 2022**

**Soumis le 17 janvier 2022 par Lily Xu, Directrice par intérim, Direction générale de  
la planification, des biens immobiliers et du développement économique**

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**Quartier : Rideau-Vanier (12)**

## **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve:**
  - (a) An amendment to the Official Plan, Volume 2a, Uptown Rideau  
Secondary Plan as detailed in Document 2;**

- (b) **An amendment to Zoning By-law 2008-250 for 641 Rideau Street to permit a 25-storey mixed use development as detailed in Documents 4 and 5; and**
  - (c) **That the implementing Zoning By-law amendment does not proceed to City Council until the agreement under Section 37 of the *Planning Act* is executed by the applicant.**
  - (d) **Direct staff to incorporate the Amendments to the Official Plan, Volumes 1 and 2, as detailed in Document 2, into Schedule B1 – Downtown Core Transect and Volume 2A – Urban Secondary Plans, Central and East Downtown Core Secondary Plan of the new Official Plan.**
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 February 9, 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 ce qui suit :**
- (a) **une modification du Plan secondaire du secteur est de la rue Rideau, Volume 2a, du Plan officiel, comme l’expose en détail le document 2;**
  - (b) **une modification du Règlement de zonage 2008-250 visant le 641, rue Rideau, afin de permettre un aménagement polyvalent de 25 étages, comme l’exposent en détail les documents 4 et 5;**
  - (c) **que la modification au Règlement de zonage ne soit soumise à l’examen du Conseil municipal qu’une fois signé par le requérant l’accord prévu par l’article 37 de la *Loi sur l’aménagement du territoire*;**

- (d) enjoindre au personnel d'intégrer les modifications apportées aux volumes 1 et 2 du Plan officiel, comme l'expose en détail le document 2, dans l'annexe B1 – Transect du coeur du centre-ville dans le volume 2A – Plans secondaires urbains, Plan secondaire du cœur du centre-ville du secteur central et du secteur est du nouveau Plan secondaire.
2. Que le Comité de l'urbanisme donne son approbation à ce 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 9 février 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.

## **EXECUTIVE SUMMARY**

### **Staff Recommendation**

This report recommends that Council approve amendments to the Uptown Rideau Secondary Plan and the Zoning By-law 2008-250 for 641 Rideau Street. The amendments will facilitate the permission of a new 25-storey mixed-use building with approximately 311 dwelling units and ground floor retail.

The Zoning By-law amendment application seeks to amend the current Traditional Mainstreet Zone (TM6 FSI 3.5 H19), including site-specific amendments through an Urban Exception and Schedule for various provisions, including an increase in building height, floor space index and building setbacks and stepbacks to permit the 25-storey mixed-use building.

### **Applicable Policy**

The proposed development is consistent with the Official Plan and Uptown Rideau Secondary Plan. The Official Plan (OP) designates the site as Traditional Mainstreet, a target area for intensification, and a designation that envisions some of the most significant development opportunities. Development that supports, and is supported by, increased walking, cycling and transit use is encouraged, along with a built form that

emphasizes street level animation and a pedestrian-friendly environment with active frontages.

The proposal is subject to Uptown Rideau Secondary Plan in Volume 2 of the Official Plan. Within this Secondary Plan on Schedule B the site is designated as having a maximum Floor Space Index of 5.0, where certain criteria are met for density redistribution. The vision for this area includes a privately-owned publicly accessible space (POPS) on the site along with certain design elements such as podium heights and floor plate size. The Plan identifies Rideau Street as a vibrant downtown mainstreet and entryway to the City's Central Area and Parliament Hill. Occasionally, taller buildings rise above human-scaled podiums, transitioning in height towards the Central Area and adding visual interest to the skyline.

The application requires amendments to the Uptown Rideau Secondary Plan to implement the proposed development. The proposed Official Plan Amendments seek to amend the policy with respect to density redistribution and increase the maximum Floor Space Index (FSI) from 5.0 to 6.9 for the subject lands.

### **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 Fleury organized a Public Open House during the circulation of the applications. The meeting was held on April 28, 2021 via ZOOM. The applicant presented an overview of the proposal and responded to audience questions. Staff attended the meeting to field questions on the process and next steps.

During the application review, approximately 55 individuals/groups provided comments raising concerns with the proposed amendment, the increased height, shadowing impacts, and traffic and parking impacts.

### **RÉSUMÉ**

#### **Recommandation du personnel**

Dans le présent rapport, le personnel recommande au Conseil d'approuver les demandes de modification du Plan secondaire du secteur est de la rue Rideau et du Règlement de zonage 2008-250 visant le 641, rue Rideau. Ces modifications permettront la construction d'un immeuble polyvalent de 25 étages comprenant environ 311 logements et un espace de vente au détail au rez-de-chaussée.

La demande de modification du Règlement de zonage concerne la désignation actuelle de Zone de rue principale (TM6 FSI 3.5 H19), notamment en ajoutant des modifications propres à l'emplacement par le biais d'une *exception* urbaine et d'une annexe de dispositions variées, comme une augmentation de la hauteur de bâtiment, du rapport plancher-sol, des retraits et des reculs de bâtiment, et ainsi permettre la construction de l'immeuble polyvalent de 25 étages.

### **Politique applicable**

L'aménagement proposé est conforme aux dispositions du Plan officiel et du Plan secondaire du secteur est de la rue Rideau. Le Plan officiel désigne l'emplacement comme étant une rue principale traditionnelle, un secteur cible de densification, et une désignation qui vise à permettre les possibilités d'aménagement parmi les plus importantes. Les aménagements qui favorisent, et qui sont favorisés par, une plus grande utilisation de moyens de déplacement comme la marche, le vélo et le transport en commun sont encouragés, tout comme les formes bâties qui mettent en valeur l'animation au niveau de la rue et l'environnement piétonnier grâce à leurs façades actives.

La proposition est assujettie au Plan secondaire du secteur du secteur est de la rue Rideau, qui figure dans le volume 2 du Plan officiel. Dans l'annexe B de ce plan secondaire, l'emplacement est assujetti à un rapport plancher-sol maximal de 5,0, et certains critères permettant une redistribution de la densité sont respectés. La vision d'avenir pour ce secteur propose l'aménagement sur l'emplacement d'un espace public appartenant à des intérêts privés ainsi que certains éléments conceptuels relatifs aux hauteurs de socle et aux superficies au sol. Le plan secondaire désigne la rue Rideau comme étant une rue principale dynamique tenant lieu de porte d'entrée vers le centre-ville et la colline du Parlement. Ici et là, des édifices s'élèvent en hauteur à mesure qu'on approche du secteur central, contribuant à façonner le panorama de la ville.

La demande nécessite des modifications au Plan secondaire du secteur est de la rue Rideau afin de permettre le lancement de l'aménagement proposé. Les changements proposés au Plan officiel visent à modifier la politique relative à la redistribution de la densité et à augmenter le rapport plancher-sol maximal, qui passerait de 5,0 à 6,9 sur le terrain en question.

### **Consultation et commentaires du public**

Les membres du public ont été avisés et consultés conformément à la politique en la matière adoptée par le Conseil municipal pour les demandes d'aménagement.

Le conseiller Fleury a organisé une assemblée publique au moment de la diffusion des demandes. Cette réunion s'est tenue sur la plateforme ZOOM le 28 avril 2021. Le requérant a présenté une synthèse de la proposition et a répondu aux questions du public. Des membres du personnel ont assisté à la séance pour répondre aux questions portant sur le processus et les étapes à venir.

Pendant la période d'examen de la demande, environ 55 personnes ou groupes ont soumis des commentaires dans lesquels des préoccupations ont été manifestées au sujet de la demande proposée, de l'augmentation de hauteur, de l'obstruction de la lumière du soleil et des répercussions sur la circulation et le stationnement.

## **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**

641 Rideau Street

### **Owner**

Theberge Homes, Joey Theberge

### **Applicant**

Scott Alain, MCIP, RPP, Fotenn

### **Description of site and surroundings**

The subject property is located on the north side of Rideau Street, east of Wurtemberg Street. The property is currently occupied with five, three-storey apartments. The property is approximately 2,700 square metres in size with 46 metres of frontage along Rideau Street and a depth of 61 metres. To the north of the site is a 21-storey residential apartment building. To the east of the site is the Embassy of Romania. To the west of the site is a 15 storey residential apartment building.

### **Proposed Development**

The proposed development consists of a 25 storey residential apartment building which includes a six-storey podium. The building would consist of 311 apartment units with

four levels of below grade parking containing 228 parking stalls. Five (5) short term parking spaces are proposed at grade to service the building as well for delivery and transport. Access to the site would be from Rideau Street.

### **Summary of requested Official Plan Amendment and Zoning Amendments**

The subject property is located within the Uptown Rideau Secondary Plan (URSP) area. The baseline height of the site is nine storeys with a maximum Floor Space Index (FSI) of 5.0 as per Schedule B. The site is also designated on Schedule C of the Secondary Plan as having a maximum building height of 25 storeys after density redistribution. Density redistribution policies outline specific criteria to allow for greater heights which include elements such as: minimum lot size, public realm, maximum FSI, maximum height, the provision of public space and built form principles. The application proposes to amend the URSP by removing the FSI limit for the site and introducing a Site-Specific Amendment to revise the density redistribution policies to allow for the proposed building.

The site is currently zoned TM6 F(3.5) H(19) - Traditional Mainstreet, Subzone 6, Floor Space Index 3.5, Maximum Building Height 19 metres. The current zoning does not permit the use, height, or the proposed FSI of 6.9. The proposed zoning details would amend the applicable zoning provisions to be consistent with the direction of the Uptown Rideau Secondary Plan that allow for taller buildings. The zoning details would address matters such as but not limited to height, FSI, and add "Apartment Dwelling, High-rise" as a permitted use. A holding "h" provision would also be established until such time as an application for site plan control has been submitted and agreement executed, along with an executed Section 37 Agreement.

## **DISCUSSION**

### **Public Consultation**

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

### **Existing Official Plan designation(s) and policies**

The subject property is designated General Urban Area as shown on Schedule B of the City of Ottawa Official Plan. Rideau Street is also designated as a Traditional Mainstreet. The site is also located within a Design Priority Area and has been subject to review by the City's Urban Design Review Panel.

## **New Official Plan**

The subject site abuts a Corridor Mainstreet and is designated as an evolving neighbourhood within the Downtown Core Transect of the new Official Plan. Corridor designations apply to specified streets, such as Rideau Street, whose planned function combines a higher density of development, a mix of uses and a higher level of street transit service than abutting neighbourhoods, which is consistent with the proposed development concept for a 25-storey high-rise building, as well as the policies of the Uptown Rideau Secondary Plan. The evolving overlay applies to an area at a stage of evolution that creates the opportunity to achieve an urban form in terms of use and density, built form and site design. The intent of the Downtown 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 5 per cent of large household dwellings within mid and high-rise buildings. The implementing zoning satisfies these policies and provides for a minimum of 10 per cent large household dwellings. Again, the proposed development would appropriately implement the objectives of this land use designation and further build upon site design elements through the future site plan control process.

## **Other applicable policies and guidelines**

The subject property is also located within Uptown Rideau Secondary Plan. The site is designated as a parcel that may consider for density redistribution and is subject to a maximum Floor Space Index (FSI). The subject property is also subject to the Design Guidelines for High-Rise Buildings and Urban Design Guidelines for Development Along Traditional Mainstreets.

## **Urban Design Review Panel**

The property is within a Design Priority Area and the applicant has undertaken pre-consultation with the Urban Design Review Panel (UDRP). The applicant presented their proposal to the UDRP on October 8, 2021. The full Panel recommendations are shown in Document 9 The panel recognized the improvements to the building design, including reducing the podium's height. Recommendations were primarily made to the public realm and future POPS space and massing, which includes floor plate size and tower separation. Through the design elevation of the project, staff were successful in reducing the floor plate site, lowering the podium height and addressing the tower separation requirements. Further design review with respect to the POPS will take place during the Site Plan Control process where they can be appropriately reviewed.



## **Planning rationale**

In considering the proposed Official Plan and Zoning By-law amendments, the key policy considerations are found within the parent Official Plan as well as the Uptown Rideau Secondary Plan and Design Guidelines for Traditional Mainstreets and High-Rise Buildings.

### **Official Plan (OP)**

The subject site is designated as a Traditional Mainstreet as shown on Schedule B of the OP. This section of Rideau Street is also designated as a Transit Priority Corridor.

To address the challenge of managing growth, City Council endeavours to do so in ways that support livable communities and healthy environments. Policy 2.2.2.3 states that the Central Area, designated Mainstreets, Town Centers and Mix Use Centers will be target areas for intensification. Intensification may occur in a variety of built forms from low-rise to high-rise provided urban design and compatibility objectives are met.

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. With respect to intensification and building height, the policies of the OP notes that intensification may occur in a variety of built forms including high-rise provided urban design and compatibility objectives are met. Dense developments, that include taller buildings should be located in areas that support the Rapid Transit and Transit Priority networks and in areas with a mix of uses. In the assessment of a taller building, Policy 2.2.2.11 indicates that appropriate building heights will be subject to the Design and Compatibility of the development with the surrounding existing context and planned function, as detailed in Section 4.11.

### **Built Form and Compatibility**

Section 2.5.1 of the Official Plan (OP) provides direction with respect to compatible development practices and new building projects. Compatible development is defined in the OP as development that is not necessarily the same as or similar to existing buildings, but that enhances and coexists with existing development without undue adverse impacts. It both fits well within its physical context and 'works well' among those functions that surround it. Within the OP design objectives are outlined to guide development. The proposed development responds to the design objectives of defining quality public and private spaces through development; creating places that are safe,

accessible and are easy to get to, and move through; and ensuring that new development respects the character of existing areas.

Design objective 1 is “To enhance the sense of community by creating and maintaining places with their own distinct identity.” The site is presently occupied by a cluster of small apartment buildings and is underdeveloped as per the direction of the Secondary Plan. At the human scale, the treatment of the Rideau Street frontage as shown on Document 7 establishes a new podium and uses at grade, along with a privately-owned public accessible Space (POPS) as per the direction of the Secondary Plan.

Design objective 2 is “To define quality public and private spaces through development.” Private, at grade amenity space is proposed to be located furthest away from the street environment. Active, publicly assessable open space is proposed along the Rideau Street frontage and will be further refined through the Site Plan Control process.

Design objective 3 is “To create places that are safe, accessible and are easy to get to and move through.” The proposed development would have at grade retail uses facing the street along with an accessible POPS along the frontage.

Design objective 4 is “To ensure that new development respects the character of existing areas.” The existing site can be described as underdeveloped as per the direction of the Official Plan and Secondary Plan. The site is eligible for a density redistribution to allow for up to 25 storeys of development and an increase in the Floor Space Index. The podium form takes design cues from the mid-rise character of the traditional mainstreet, along with design direction from the Secondary Plan which speaks to a six storey podium element. The position of the tower element is appropriately separated from potential abutting tower locations at a prominent vista when moving west over the Cummings Bridge that creates a dynamic view.

In addition to the built form and compatibility policies found in Section 2.5.1 of the Official Plan, additional objective compatibility criteria and policies can also be found in Section 4.11, Urban Design and Compatibility. At the scale of neighbourhoods or individual properties, issues such as noise, spillover of light, accommodation of parking and access, shadowing, and micro-climatic conditions are prominent considerations when assessing the relationships between new and existing development. Often, to arrive at the compatibility of scale and use will demand a careful design response, one that appropriately addresses the impact generated by infill or intensification. An assessment of the compatibility of new development will involve not only consideration of built form, but also of operational characteristics, such as traffic, access, and parking. While many of the compatibility considerations contained in Section 4.11 can be

addressed through the Site Plan control process, others are more applicable to a rezoning application such as parking, traffic, sunlight and microclimate.

**Traffic:** A traffic study has been submitted in support of the application. The details of any potential roadway modifications will be addressed through the Site Plan Control application. The site plan control process will also focus on the implementation of Transportation Demand Management techniques to support alternative modes of transportation.

**Vehicular Access and Parking:** Access to the site will be from Rideau Street. With respect to parking requirements, the application is not seeking any relief from the applicable by-law provisions and is proposing 233 combined visitor and tenant spaces whereas the by-law requires 187. Regarding bicycle parking, the project intends to provide parking for tenants and visitors at a minimum rate of 1:1 which exceeds current by-law standards and will form part of the implementing by-law. Details with respect to site access will be evaluated through the required Site Plan Control application. The applicant is continuing to explore the potential to provide an additional access through the abutting property to the west; however, there is no firm proposal in place at this time.

**Outdoor Amenity Areas:** While these are Site Plan Control issues, there are no anticipated negative impacts on the outdoor amenity areas of nearby residential properties. The project incorporates amenity space for both the residents and occupants of the building on the upper levels of the podium as well as new private space at grade along with a POPS abutting Rideau Street which is accessible to the public at large and will include amenities such as public art and a bicycle repair station.

**Lighting:** There are no anticipated negative impacts from lighting generated on-site onto adjacent residential properties. Through the Site Plan Control process, the application will be required to demonstrate the site meets City standards with respect to light-spill over.

**Sunlight:** While it is understood that all buildings cast shadows, the applicant has prepared a sun/shadow study in support of the development. In an effort to reduce potential shadowing impacts to the east, the floor plate of the tower has been reduced from the original proposal. Shadowing impacts will be mainly to the north and are expected to be minimal as the shadows will move across the impacted properties, thereby not creating an undue adverse impact on existing conditions or public open space envisioned by the Secondary Plan.

## **Traditional Mainstreet**

Further to the policies of the General Urban Area, the City's growth strategy supports infill development and other intensification within the Urban Area, and along Traditional Mainstreets. The Mainstreet designations identify streets that offer significant opportunities for intensification through medium-density and mixed-use development, along streets that are Transit Priority Corridors or are well-served by transit. Traditional Mainstreets are planned as compact, mixed-use, pedestrian-oriented streets that provide for access by foot, cycle, transit and automobile.

The policies of the Official Plan encourage redevelopment and infill on Traditional Mainstreets. To optimize the use of land through intensification and as shown in Documents 7 and 8 the proposed building format encloses and defines the street edge with active frontages that provide direct pedestrian access to the sidewalk. Surface parking is also not visible between the street edge and building façade which is further supported by the Plan.

With respect to height along Traditional Mainstreets, as per Policy 3.6.3.12, greater heights may be permitted as identified in a Secondary Plan, such as the Uptown Rideau Secondary Plan. The proposed development takes advantage of an underdeveloped parcel by introducing a built edge along all the site frontage with new public space and landscaping at grade in the form of a POPS.

## **Uptown Rideau Secondary Plan**

The purpose of this Uptown Rideau Secondary Plan (URSP) is to provide detailed area-based policy direction to guide both public and private development. The Community Design Plan and the Secondary Plan provide a vision for the area and set out policies on matters related to land use, built form, and public realm to guide and manage the anticipated growth and change. Under the *Planning Act*, property owners are permitted to make applications to amend the Secondary Plan and consideration as to the appropriateness of this request will be made in relation to how the proposed development satisfies the policy intent of the Primary Official Plan and the Secondary Plan. Each application for an OPA will be evaluated on its own merits and does not result in a precedent for subsequent applications. Under the *Planning Act*, property owners can make applications to amend the Secondary Plan and consideration as to the appropriateness of this request will be made in relation to how the proposed development satisfies the policy intent of the Primary Official Plan and the Secondary Plan. Each application for an OPA will be evaluated on its own merits and does not result in a precedent for subsequent applications.

The core principles and directions of the URSP speak to establishing a vibrant successes mainstreet, locating new buildings and taller buildings strategically, improving network mobility and enhancing and connecting the open space network.

Section 4.2 requires that new buildings be designed to frame Rideau Street, massing to related to the human scale and contribute to the pedestrian environment, mitigate shadow and wind, be strategically located to mitigate impacts and improve the skyline and ensure that operation needs are minimized to avoid impacts to the area.

With respect to operational impacts such as loading and parking, the project proposes a minimum amount of surface parking on-site at grade, out of view from Rideau Street. Design details dealing with waste management will form part of the Site Plan Control review process which is a requirement of implementing by-law.

Section 4.4 speaks to the open space network of the URSP through the provision of public parkland and privately-owned publicly accessible spaces (POPS). As required as through Section 5.3 and 6.2 a POPS will be provided on the subject lands fronting along Rideau Street, at the required size and further accessed as part of the Site Plan Control process.

Section 5.2 of the URSP speaks to height and density and notes that baseline heights in the area are generally between six and nine stories and that Council may approve additional heights through Section 5.3 which outlines the criteria for density redistribution. The proposed tower is consistent with the maximum heights identified in Schedule B at 25 storeys and provides for a six-storey podium along the street, which is in keeping with the design direction for High-rise development in Section 5.4.3 of the URSP and discussed further below.

Section 5.3 – Density Redistribution of the URSP outlines that Council may approve a built form design that deviates from the maximum building heights described in Section 5.2 provided all of the following conditions are met:

1. The lot is a minimum of 2000 m<sup>2</sup> in size.
2. The lot must abut at least two public realms (with the exception of a POPS).
3. The proposed development does not exceed the maximum FSI established by this Plan as detailed in Schedule B.
4. The proposed development does not exceed the maximum height allowance established by this Plan as detailed in Schedule C.

5. The proposed development provides a minimum 200m<sup>2</sup> privately-owned publicly accessible space (POPS) that meets the design guidelines found in Section 6.2 of this Plan.
6. The proposed development achieves the built form principles found in Section 5.4 of this Plan.

With respect to the proposed conception, Policies 5.3.1, 4, 5, and 6 have been addressed and are not proposed to be amended through the application. The project is proposing to amend Policy 5.3.2 and 5.3.3 of the URSP as the parcel is landlocked and does not have a natural orientation abutting two public realms, and the FSI proposed is 6.9. The URSP provides some flexibility in considering a public realm which can include pathways, lanes and watercourses however given the context of the subject lands which is framed by two residential parcels and the Romanian Embassy, and does not abut a watercourse or open space, the ability of the site to abut a second frontage is not attainable. It is noted that many of the parcels within the URSP identified for density redistribution abut two frontages as they are corner lots or would require lot consolidation which is not always feasible to meet minimum area requirements. The subject parcel as is complies and exceeds the policy requirement for a minimum lot size. As the design of the tower is in line with the maximum height envisioned and meets tower separation and design criteria, the amendment is reasonable as it does not significantly deter from the overall intent of the URSP.

An FSI of 6.9 is proposed that is greater than the maximum of 5.0. While it is recognized that the FSI is higher than currently permitted on Schedule B of the URSP, the tower height, form, and placement address or exceed tower separation requirements from abutting property lines and existing towers. It is also noted that other sites within the URSP are eligible for an FSI greater than 5.0. Therefore, it is the opinion of staff that the increase in FSI has no significant impact on the built form of the URSP and the proposed building volume is compatible with the intent and planned function of the URSP.

Policy 5.4 outlines built form principles with respect to a positive ground floor experience. The proposed concept responds to the direction of the URSP by incorporating an active frontage at grade, open spaces, the direction parking and utility areas to the rear of the site, along with a high level of transparent materials at grade to be further reviewed through the Site Plan Control process. The project incorporates and implements minimum building setbacks through the proposed zoning schedule to address maximum podium heights for high-rise buildings.

With respect to high-rise development, the policies of Section 5.4.3 applicable to this site speak to a development being well-proportioned and should generally take the podium and tower approach in built form design. The podium should animate the pedestrian realm and form a continuous street wall, with a maximum 6 storey podium height. The design must: address the built form principles found in 5.4.2; the tower should setback from the podium; faces and should be articulated; the maximum floor plate for a predominantly residential building should be 750 m<sup>2</sup> or respond to Section 4.11.14 of the Official Plan if greater; the tower should incorporate minimum separation distances and property line setbacks; and lastly, the top portion of a tower should contribute to the city skyline and mechanical penthouses should be architecturally integrated.

The proposed development appropriately addresses the policies outlined in Section 5.4.3 of the URSP. The project form is a podium and tower concept with an animated ground floor that includes public open space. The conceptual design as shown in Documents 7 and 8 includes articulation of the podium and glazing. The minimum separation distance between towers is 23 metres and the towers is set back by a minimum of 11.5 metres from the rear and the side property lines. With respect to an increased floor plate of 797 square metres, whereas the URSP encourages 750 square metres, the minor increase in size is reasonable as it does not create a greater adverse impact on the pedestrian realm, shadowing of the viewshed to the site. The project does not impact any heritage buildings or districts or the privacy of the abutting sites. The final architectural details of the penthouse will be finalized through the site plan control process and additional review with the Urban Design Review Panel.

### **Holding Provision**

The Secondary Plan notes that Council will introduce a holding provision upon considering all Zoning By-law amendment applications that seek density redistribution. The removal of the holding provision will not be considered by Council until the policies set out in this Plan are implemented and met to the satisfaction of the General Manager of Planning, Real Estate and Economic Development Department that include:

- a) Approval of a Site Plan Control application, including the execution of an agreement pursuant to Section 41 of the *Planning Act*, to the satisfaction of the General Manager of the Planning, Real Estate and Economic Development Department, that will require the implementation of all policies of this Plan, fulfilling obligations specified in the relevant policies and By-laws.

- b) Execution of an agreement pursuant to Section 37 of the *Planning Act*, to the satisfaction of the General Manager of the Planning, Real Estate and Economic Development Department.

As part of the proposed zoning details as shown in Document 4, a holding provision has been put in place.

### **Urban Design Guidelines for Traditional Mainstreets**

The Urban Design Guidelines for Development along Traditional Mainstreets are to provide urban design guidance to assess, promote and achieve appropriate development along Traditional Mainstreets. The application has addressed the Design Guidelines with respect to pedestrian access via continuous sidewalks along the frontage of the site and an easily accessible POPS area. The application has also internalized parking facilities that cannot be seen from the public realm. Lastly, the project is introducing a new continuous built edge along the Mainstreet frontage which is consistent with the Official Plan and Secondary Plan objectives.

### **Urban Design Guidelines for High-Rise Housing**

The proposal has been reviewed against the Urban Design Guidelines for High-Rise Housing. It is noted that the guidelines are not perspective; however, the proposed development is consistent with the guidelines that speak to creating an urban fabric along the street edge, open spaces and pedestrian amenities, building orientation, height and bulk to minimize shadowing impacts, human-scale podiums, active edges, and high-levels of glazing. As part of the Site Plan Control process, further review of the project will take place against the applicable design guidelines.

The Design Guidelines for High-Rise Housing promotes the development of buildings that contribute to both views of the skyline and enhance orientation and the image of the City. The placement of the proposed building, at the eastern edge of the plan area, will provide a focal point when travelling east into the core. The proposed design also incorporates the opportunity for new street trees along Rideau Street and has the opportunity for retail units with direct access to the traditional mainstreet. The overall proposed design contributes to the larger public realm through its interactions with the street and proposed enhancements.

### **Zoning By-law Amendment**

The recommended zoning details as shown in Document 4. The zoning details and proposed schedule include provisions including but not limited to maximum building



height, required building setbacks and stepbacks, and bicycle parking rates. Within the recommended zoning details is the inclusion of a holding “h” provision which will not be lifted from the property until such time as Site Plan Control and Section 37 agreements are executed. The proposed holding provision is considered an appropriate mechanism to ensure the commitments of the project are implemented through future development applications, as required by the Uptown Rideau Secondary Plan. The removal of the holding provision will require a future application to Planning Committee and Council that will demonstrate how the requirements have been satisfied prior to any development.

### **Section 37 Agreement**

As per Section 37 of the *Planning Act*, where a development is determined to be good planning, the City may authorize increases in the height and density of development above the levels otherwise permitted by the Zoning By-law, in return for the provision of community benefits. The Official Plan (Section 5.2.1.11) states that limited increases will be permitted in return for the provision of community benefits as set out in the Zoning By-law, which shall be secured through an agreement registered on title.

In accordance with the Council-approved guidelines, the amount of the Section 37 contribution for this proposal has been determined to be \$797,933.00. This contribution will provide the following monetary and non-monetary contributions.

#### Monetary Contributions

- Improvements to area parks – with specific park locations and contribution to be determined by Ward Councillor
- Cycling and pedestrian connection improvements – with site-specific contribution to be determined by Ward Councillor
- Road safety improvements along Rideau street and Cummings bridge to be determined by Ward Councillor
- Remaining of money towards Public realm improvements for Rideau Street to be determined by Ward Councillor

#### Non-Monetary Contributions (to form part of the Site Plan Control application)

- Green roof or white roof design elements/components.

- A publicly accessible bike repair station to be operated and maintained by the property owner.
  - Public art or murals at the owners' expense.
  - Minimum of two tenant electrical car charging stations.
  - Car-sharing spaces on-site, and/or provision of a car-sharing trial membership to tenants.
  - Building components to include a tri-sorter refuse and recycling system and double glazed low-E argon windows.
- Community access to on-site meeting rooms and/or amenities for a minimum of four hours per month for a period of 10 years.
  - A minimum of 10% of the total unit count shall be provided as large-household dwelling units, with a minimum unit size of 850 square feet and two bedrooms.

The details of the Section 37 contributions are also contained within the details of the proposed amendments to the Zoning By-law (Document 4). These community benefits will be secured prior to the issuance of the first building permit and details on the final Section 37 contribution will be contained within the Section 37 Agreement and will be indexed in accordance with the Statistics Canada Construction Price Index for Ottawa that applies to the type of community benefit being secured, calculated from the date of the Section 37 Agreement to the date of payment. The implementing Zoning By-law will not proceed to City Council until such time as the agreement under Section 37 of the *Planning Act* is executed.

### **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 Fleury provided the following comments:

“When presented with the application for 641 Rideau St. at its current proposal, I can not support it and request this committee reject this application.

My request does not come lightly and asks this committee to respect the community's work on the Uptown Rideau Secondary Plan, which was approved at Council in December 2015.

Several items need to be considered when the opportunity comes to add a new addition to a Main Street.

Does it fit with the neighbouring buildings? Does it respect current City plans? Will it add to the area? Is it a rental or condo building? Is there affordable housing? Can it create a more walkable and enjoyable main street?

With the application at 641 Rideau Street, I think it is fair to say that a rebuild at this site could create a more walkable and potentially add retail to a spot along the North end of the street where there is none. It also poses the opportunity to be a prominent building on the street – one where rejuvenation is ample as we look at the number of new buildings popping up along Rideau. I like the potential for commercial retail space on the ground floor, the fact this proposes a rental environment – where there is a great need in our City.

Consideration of an amendment to an Official Plan should not come lightly, I have concerns with its implication to the recently approved CDP. Further, acceptance of a proposal that defies, the intended parameters for additional heights where approved with the Uptown Rideau Secondary Plan is again something that should not come easily. The height proposed is too high. In addition, at 25 storeys, this proposal does not respect the Uptown Rideau Secondary Plan; I will note the applicant for this proposed also were involved in its development which came with no appeals.

I believe that this application can be both prominent and well-designed, all while respecting the current zoning, keeping the current FSI limit, and respecting the permitted building height limit at 80-metres.

Although the proposal of a base podium attempts to alleviate this height concern, the issue remains that this height overshadows its neighbours, and the inconsistency with the Uptown Rideau Secondary Plan is disappointing.

I want to highlight the current buildings have tenants. There is a deficit when it comes to affordable units in this City. Currently, this building offers affordable rents by length of tenancy. My community and I, if this report is approved, want assurances and hope the

applicant respects the existing tenants by allowing them to return at the same rent they are currently paying or have the first right of access to a similar unit within the new building or in another rental unit they are comfortable with.

This site's location poses some unique challenges.

Being situated on an upward curve at the top of Cummings bridge, I would request that a right in, right out offers the safest entry and exit options for tenants, pedestrians, cyclists, and drivers. The proximity to Wurtemberg signal and curvature and grade in the street at this location makes for a very challenging entry. It would have to be designed with safety in mind.

The direct neighbour to the east, the Embassy of Romania, and the interaction between this property and this new development needs to be reviewed. With the neighbouring Turkish Embassy and the Watergate on Wurtemburgh, we have found that the height of the Watergate building has posed security concerns with the Embassy over the years. I believe proper safety designs and setbacks of this application could avoid similar potential concerns with the Embassy of Romania.

Lastly, I would like to address the other unique opportunity with this site – the property's access to the Rideau River. I would love to see the site plan address this by offering the community safe access to the river by providing appropriate light, stairs, and water/dock access features.

Further to my comments, I would like to reiterate and second the comments and recommendations from the Urban Design Review Panel. I ask that this committee request the same of the applicant.

\* Site's location and relationship to the river, the location of the POPS and "slab-like" perception of the tower should be revised.

\*The POPS should be integrated into the Rideau Street landscape, not separate.

\* The massing exceeds what should remain no more than 750 square metres, and the tower should be slimmed down to reflect this and respect the sky views between buildings in the area

\*Should reduce the height and the building should be widened to respect the 23-metre separation from its neighbour, Ottawa Community Housing.”

## **LEGAL IMPLICATIONS**

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

## **RISK MANAGEMENT IMPLICATIONS**

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

## **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with this report.

## **FINANCIAL IMPLICATIONS**

In accordance with the Council-approved guidelines, the amount of the Section 37 monetary contribution for this proposal has been determined to be \$797,933 and will be directed as follows. This contribution will be secured prior to the issuance of the first building permit and will be indexed in accordance with the Statistics Canada Construction Price Index for Ottawa that applies to the type of community benefit being secured, calculated from the date of the Section 37 Agreement to the date of payment.

- Improvements to area parks – with specific park locations and contribution to be determined by Ward Councillor
- Cycling and pedestrian connection improvements – with site specific contribution to be determined by Ward Councillor
- Road safety improvements along Rideau street and Cummings bridge to be determined by Ward Councillor
- Remaining of money towards Public realm improvements for Rideau Street to be determined by Ward Councillor

The following non-monetary Contributions will be provided and secured through the Site Plan Control application.

- Green roof or white roof design elements/components.
- A publicly accessible bike repair station to be operated and maintained by the property owner.
- Public art or murals at the owners' expense.

- Minimum of two tenant electrical car charging stations.
- Car-sharing spaces on-site, and/or provision of a car-sharing trial membership to tenants.
- Building components to include a tri-sorter refuse and recycling system and double glazed low-E argon windows.
- Community access to on-site meeting rooms and/or amenities for a minimum of four hours per month for a period of 10 years.
- A minimum of 10% of the total unit count shall be provided as large-household dwelling units, with a minimum unit size of 850 square feet and two bedrooms.

### **ACCESSIBILITY IMPACTS**

The new building will be required to meet the accessibility criteria contained within the Ontario Building Code. Depending on the timing of construction, the *Accessibility for Ontarians with Disabilities Act* requirements for site design may also apply and will be reviewed through the Site Plan Control process.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

### **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Thriving Communities

### **APPLICATION PROCESS TIMELINE STATUS**

These applications (Development Application Number: D01-01-21-002 and D02-02-21-0020) were not processed by the "On Time Decision Date" established for the processing of Official Plan and Zoning By-law amendments due to the additional time required to respond to urban design and technical considerations.

**SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Official Plan Amendment

Document 3 Zoning Key Plan

Document 4 Details of Recommended Zoning

Document 5 Proposed Zoning Schedule

Document 6 Consultation Details

Document 7 Conceptual Elevations

Document 8 Conceptual Site Plan

Document 9 Urban Design Review Panel Recommendations

**CONCLUSION**

The department supports the proposed amendments to the Uptown Rideau Secondary Plan and the Zoning By-law. The development is consistent with maximum permitted heights of the plan area, while recognizing that the site-specific context and proposed minor amendments to the plan area do not depart from the overall planned function and public realm improvements. The proposed development creates an appropriate built form within the existing context and planned function. Overall, the Official Plan and Zoning By-law amendments represent good planning that conform with the general intent of both the new and existing Official Plans and the Secondary Plan Policies and is consistent with the Provincial Policy Statement.

**DISPOSITION**

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; Krista O'Brien, Program Manager, Tax Billing and Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

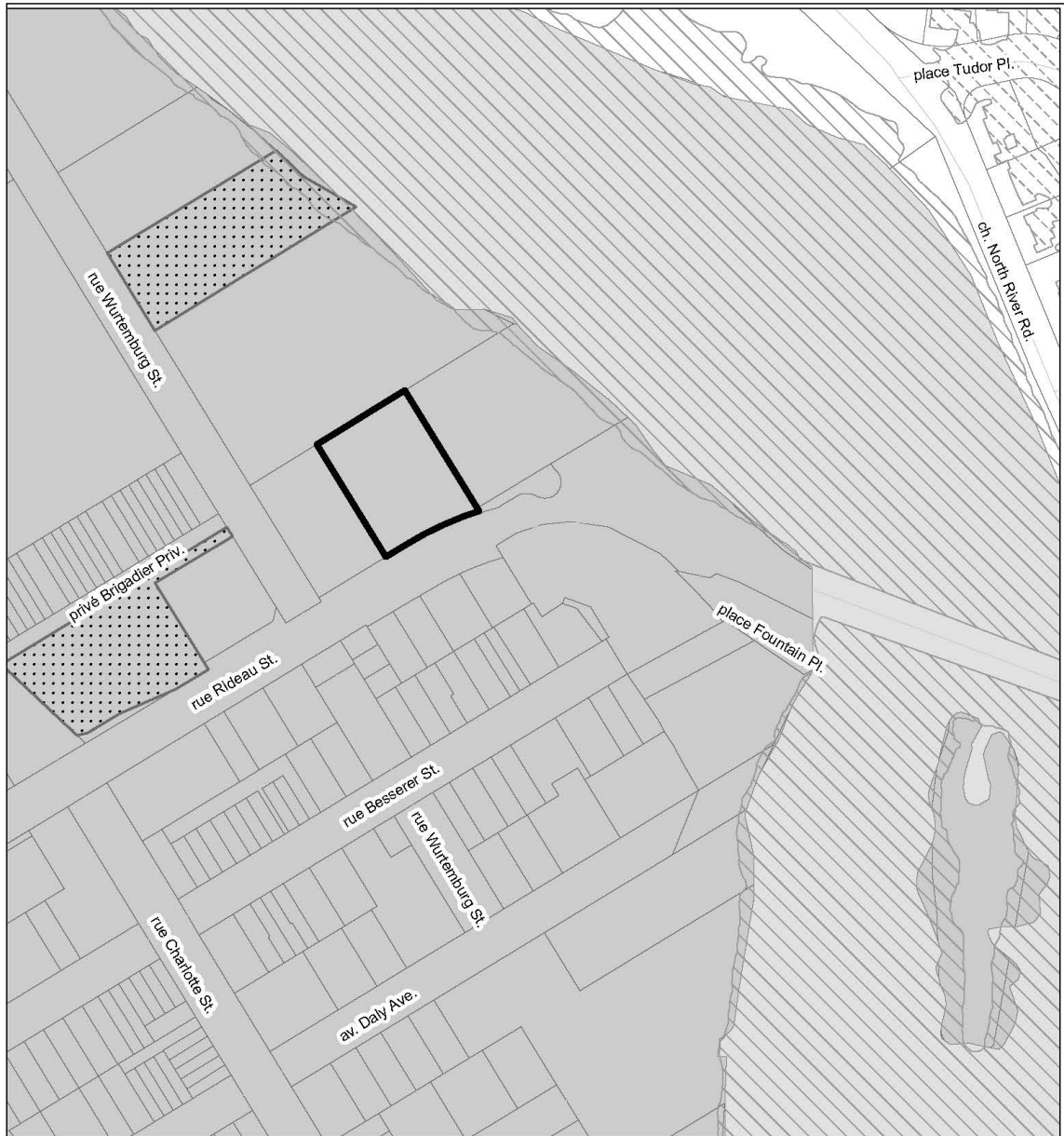
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.








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



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE OFFICIAL PLAN AMENDMENT / MODIFICATION DU PLAN OFFICIEL	
D02-02-21-0020	21-0279-D	<div style="display: flex; align-items: flex-start;"> <div style="margin-right: 10px;">  </div> <div> <p><b>641 rue Rideau Street</b></p> <ul style="list-style-type: none"> <li> Heritage (Section 60) Patrimoine (Article 60)</li> <li> Existing Flood Plain (Section 58) / Plaine inondable (Article 58)</li> <li> Flood Plain - Area Specific Provisions (Section 58) / Plaine inondable - Dispositions propres à des emplacements (Article 58)</li> <li> Mature Neighbourhoods Overlay (section 139) Zone sous-jacente de quartiers établis (article 139)</li> </ul> </div> </div>	
D01-01-21-0002			
I:\CO\2021\ZKP\Rideau_641		<div style="display: flex; justify-content: space-between;"> <div style="font-size: 8px;"> <p>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission THIS IS NOT A PLAN OF SURVEY</p> <p>©Les données de parcelles appartient à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CE CI N'EST PAS UN PLAN D'ARPENTAGE</p> </div> <div style="text-align: right;">  </div> </div>	
REVISION / RÉVISION - 2021 / 03 / 22			

**Document 2 – Official Plan Amendment**

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

**INDEX**

**THE STATEMENT OF COMPONENTS**

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

**PART B – THE AMENDMENT** constitutes Amendment XX to the Official Plan for the City of Ottawa.

**PART C – THE APPENDIX**

**Schedule 1 of Amendment XX – Official Plan for the City of Ottawa**

## **PART A – THE PREAMBLE**

### **Purpose**

The application proposed to amend the Uptown Rideau Secondary Plan to permit the development of a 25-storey mixed use building.

### **Location**

The subject property is located on the north side of Rideau Street, east of Wurtemberg Street. The property is currently occupied with five, three-storey apartments. The property is approximately 2,700 square metres in size with 46 metres of frontage along Rideau Street and a depth of 61 metres. To the north of the site is a 21-storey residential apartment building. To the east of the site is the Embassy of Romania. To the west of the site is a 15 storey residential apartment building.

### **Basis**

The amendment to the Official Plan was requested by the applicant in order to facilitate the construction of a new 25-storey residential building on the property with a maximum Floor Space Index of 6.9.

### **4. Rationale**

The proposed Official Plan Amendment to the Uptown Rideau Secondary Plan to permit a minor increase in the Floor Space Index (FSI) on the subject lands are consistent with the Provincial Policy Statement and the City of Ottawa Official Plan. The amendments which propose an increase in the permitted FSI is appropriate for the site and surrounding context and are considered good land use planning.

## **PART B – THE AMENDMENT**

### Introduction

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

### Details

The following changes are hereby made to the Official Plan, Volume 2a, Uptown Rideau Secondary Plan. The Uptown Rideau Secondary Plan is hereby amended as follows for the City of Ottawa:

1.1 By adding a new policy in Section 5.3 – title, as follows:

“5.3 subsection 3. Despite Section 5.3 subsection 1, the property at 641 Rideau Street must abut one public realm (with the exception of a POPS as per policy 5.3.1e) and is permitted a maximum FSI of 6.9.

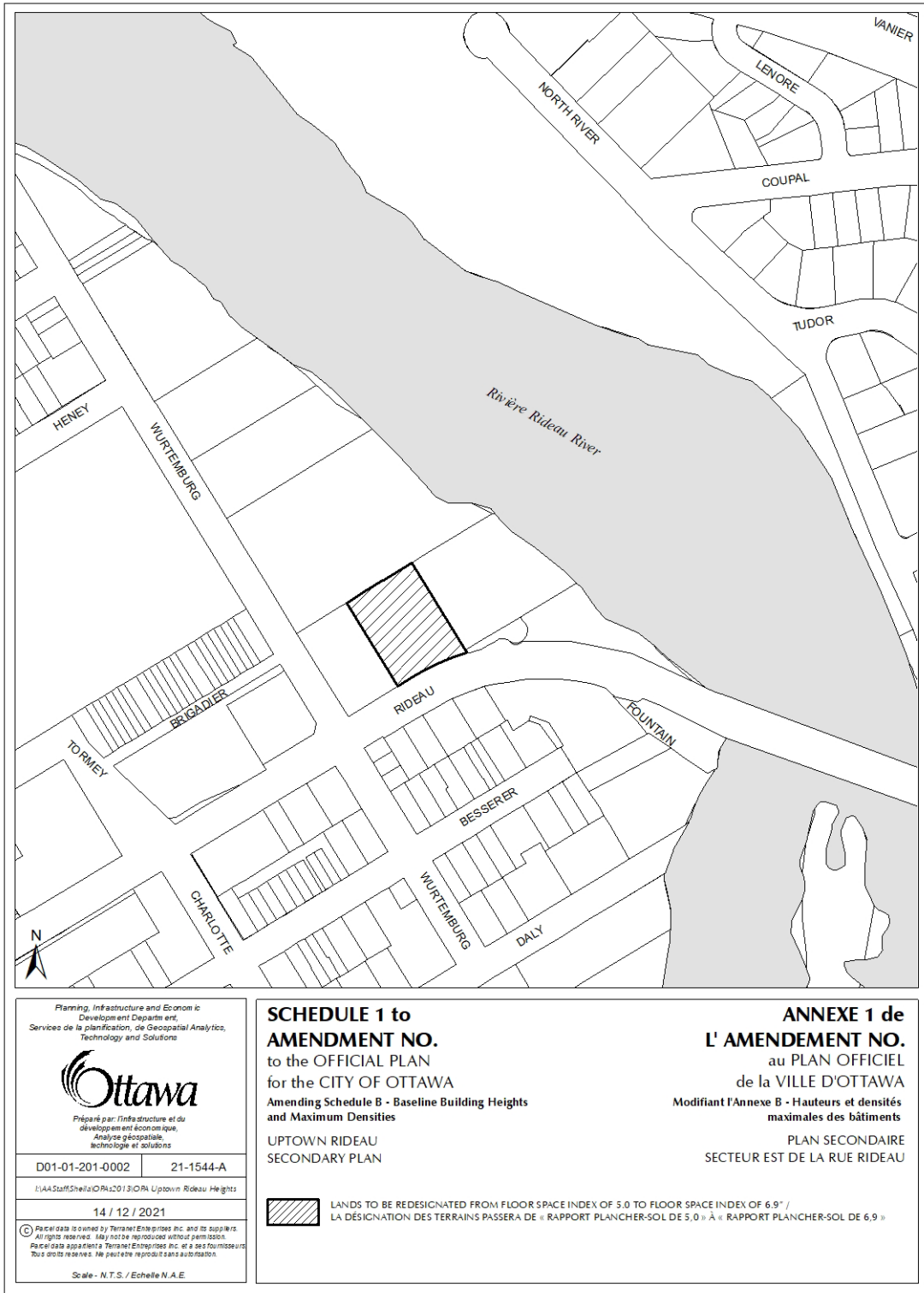
1.2 Amend Schedule B – Baseline Building Heights and Maximum Densities as shown on Schedule A.

### Implementation and Interpretation

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

**PART C – THE APPENDIX**

Schedule 1 of Amendment XX – Official Plan for the City of Ottawa



Planning, Infrastructure and Economic Development Department,  
Services de la planification, de Géospatial Analytics, Technology and Solutions

Préparé par: l'infrastructure et du développement économique,  
Analyse géospatiale, technologie et solutions

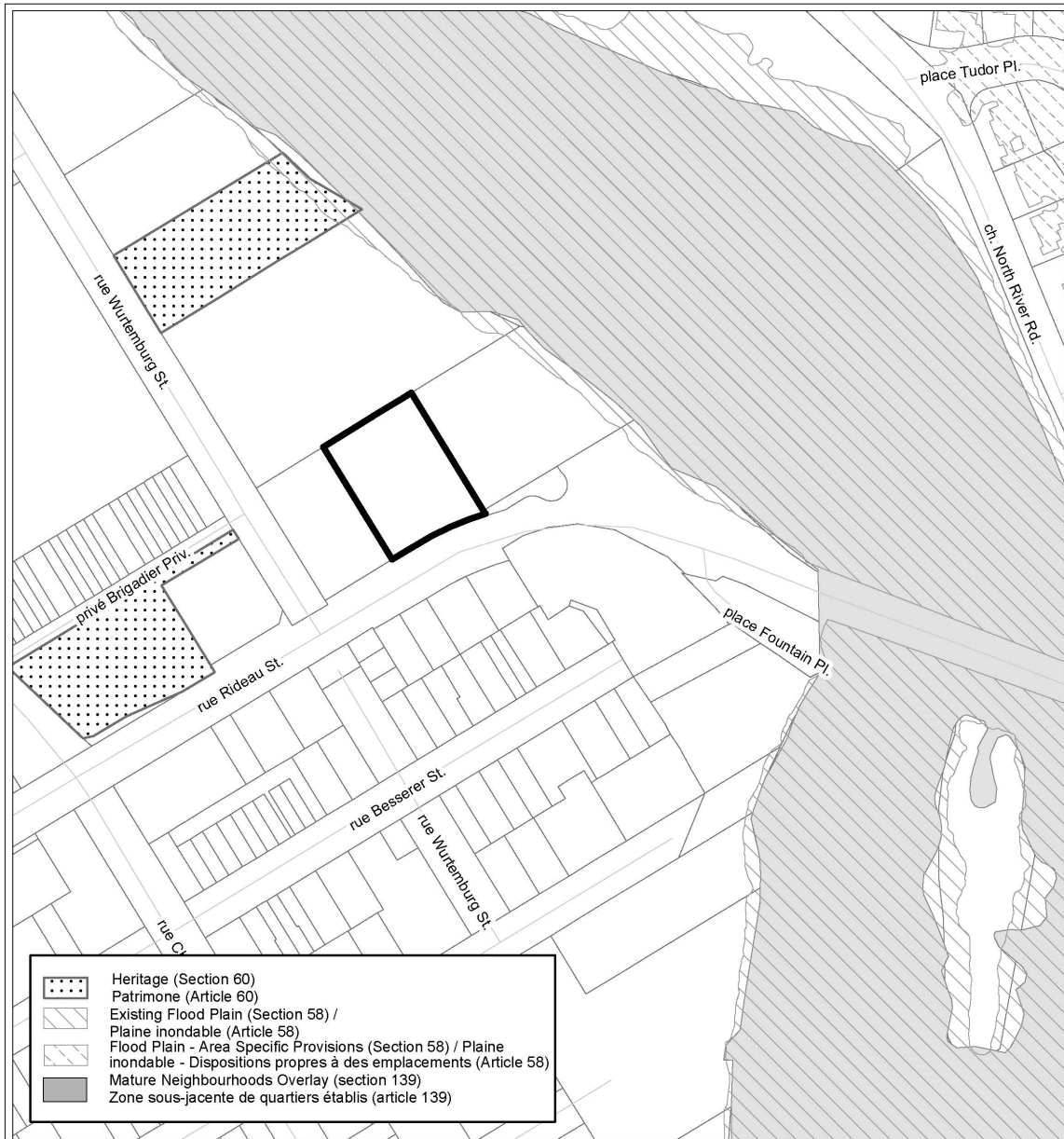
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14 / 12 / 2021	
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Scale - N.T.S. / Echelle N.A.E.	

**SCHEDULE 1 to AMENDMENT NO.**  
to the OFFICIAL PLAN  
for the CITY OF OTTAWA  
Amending Schedule B - Baseline Building Heights and Maximum Densities  
UPTOWN RIDEAU  
SECONDARY PLAN

LANDS TO BE REDESIGNATED FROM FLOOR SPACE INDEX OF 5.0 TO FLOOR SPACE INDEX OF 6.9 /  
LA DÉSIGNATION DES TERRAINS PASSERA DE « RAPPORT PLANCHER-SOL DE 5.0 » À « RAPPORT PLANCHER-SOL DE 6.9 »

**ANNEXE 1 de L' AMENDEMENT NO.**  
au PLAN OFFICIEL  
de la VILLE D'OTTAWA  
Modifiant l'Annexe B - Hauteurs et densités maximales des bâtiments  
PLAN SECONDAIRE  
SECTEUR EST DE LA RUE RIDEAU

Document 3 – Zoning Key Plan



- Heritage (Section 60)  
Patrimoine (Article 60)
- Existing Flood Plain (Section 58) /  
Plaine inondable (Article 58)
- Flood Plain - Area Specific Provisions (Section 58) / Plaine  
inondable - Dispositions propres à des emplacements (Article 58)
- Mature Neighbourhoods Overlay (section 139)  
Zone sous-jacente de quartiers établis (article 139)

D02-02-21-0020      21-1301-X  
D01-01-21-0002

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REVISION / RÉVISION - 2021 / 11 / 12

LOCATION MAP / PLAN DE LOCALISATION  
ZONING KEY PLAN / SCHÉMA DE ZONAGE  
OFFICIAL PLAN AMENDMENT / MODIFICATION DU PLAN OFFICIEL

**641 rue Rideau Street**

Change in zoning from TM6 F(3.5) H(19) to TM6[XXXX] F(6.9) SYYY-h  
Changement de zonage de TM6 F(3.5) H(19) à TM6[XXXX] F(6.9) SYYY-h

## Document 4 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 641 Rideau Street:

1. Rezone the lands shown in Document 3 from TM6 F(3.5) H(19) to TM6[xxxx] F(6.9) SYYY-h.
2. Amend Part 17, Schedules, by adding a new Schedule “YYY” as shown in Document 5.
3. Add a new exception TM6[XXXX] SYYY-h to Section 239, Urban Exceptions, with provisions similar in effect to the following:
  - a. In Column II, add the text, “TM6[xxxx] F(6.9) SYYY-h;
  - b. In Column III, add “Apartment Dwelling, High-Rise”
  - c. In Column V, add provisions similar in effect to the following:
    - Maximum building height and minimum yard setbacks and setbacks as per Schedule YYY.
    - Maximum Floor Space Index – 6.9
    - Minimum Front Yard Setback above the 6th storey – 2.5 m
    - Minimum Front Yard Setback at and below 6th storey – 2 m
    - Despite Section 111, tenant and visitor bicycle parking shall be provided at a rate of 1:1.
    - Table 111B does not apply.
    - Stacked bicycle parking is permitted.
    - Section 111 sub 5, 9, 10, 11 do not apply
    - A minimum of 10% of the total dwelling units shall be provided as large-household dwelling units, with a minimum unit size of 850 square feet and two bedrooms.
4. Removal of the “h” is conditional upon the following:



- a) Approval of a Site Plan Control application, including the execution of an agreement pursuant to Section 41 of the *Planning Act*, to the satisfaction of the General Manager of the Planning, Real Estate and Economic Development Department, that will require the implementation of all policies of this Plan, fulfilling obligations specified in the relevant policies and By-laws, and the assessment of potential issues related to constructability, right of way impacts and construction staging.
  - b) Execution of an agreement pursuant to Section 37 of the *Planning Act*, to the satisfaction of the General Manager of the Planning, Real Estate and Economic Development Department where such an agreement is required in accordance with the City's Section 37 Implementation Guidelines.
5. The following provisions dealing with a Section 37 authorization will also be added to the new exception in Section 239:
- a. Pursuant to Section 37 of the *Planning Act*, the height and density of development permitted in this by-law are permitted to compliance with all of the conditions set out in this by-law including the provision by the owner of the lot of the facilities, services and matters set out in Section X of Part 19 hereof, to the City at the owner's sole expense and in accordance with and to the agreement referred to in b. below.
  - b. Upon execution and registration of an agreement or agreements with the owner of the lot pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services or matters set out in Section X of Part 19 hereof, the lands are subject to the provisions of this By-law. Building permit issuance with respect to the lot shall be dependent upon the satisfaction of the provisions of this by-law and in the Section 37 Agreement relating to building permit issuance, including the provision of monetary payments and the provision of financial securities.
  - c. Wherever in this by-law a provision is stated to be conditional upon the execution and registration of an agreement entered into with the City pursuant to Section 37 of the *Planning Act*, then once such agreement has been executed and registered, such conditional provisions shall continue.
6. The following will be added as Section XX of Part 19 of the Zoning By-law, will be titled 641 Rideau Street and will set out the facilities, services and matters that must be provided as per Section 37 of the *Planning Act*:



## 641 Rideau Street

The City shall require that the Owner of the lands at 641 Rideau Street to enter into an agreement pursuant to Section 37 of the *Planning Act*, to be registered on title, to the satisfaction of the City Solicitor and General Manager, Planning, Infrastructure and Economic Development Department, to secure the public benefits noted below. The total value of the monies to be secured is \$797,933.00 to the City, indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Ottawa, calculated from the date of the Section 37 Agreement to the date of payment.

(a) The specific monetary benefits to be secured and provided are:

- Improvements to area parks – with specific park locations and contribution to be determined by Ward Councillor
- Cycling and pedestrian connection improvements – with site specific contribution to be determined by Ward Councillor
- Road safety improvements along Rideau street and Cummings bridge to be determined by Ward Councillor
- Remaining of money towards Public realm improvements for Rideau Street to be determined by Ward Councillor

(b) As part of the Site Plan Control application and agreement the application shall provide and/or include the following non-monetary contributions:

- Green roof or white roof design elements/components.
- A publicly accessible bike repair station to be operated and maintained by the property owner.
- Public art or murals at the owners' expense.
- Minimum of two tenant electrical car charging stations.
- Car-sharing spaces on-site, and/or provision of car-sharing trial membership to tenants.
- Building components to include a tri-sorter refuse and recycling system and double glazed low-E argon windows.

- Community access to on-site meeting rooms and/or amenities for a minimum of four hours per month for a period of 10 years.
  - A minimum of 10% of the total unit count shall be provided as large-household dwelling units, with a minimum unit size of 850 square feet and two bedrooms.
- (c) Notwithstanding the foregoing, the owner and the City may modify or amend said agreement(s), from time to time upon the consent of the City and the owner, without further amendment to those provisions of the Zoning By-law which identify the facilities, services and matters to be secured.
- (d) The payment of Section 37 funds shall be provided prior to the issuance of a building permit for the proposed development.



## Document 6 – Consultation Details

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Official Plan amendments. During the circulation process, approximately 55 comments were received, with 50 providing comments or and the remaining five requesting notification of any file activity.

### PUBLIC COMMENTS

1. Concerns were raised with respect to potential shadowing impacts from the proposed development on MacDonald Gardens Park and Besserer Park.

Response:

A shadow study was prepared by the applicant as part of the application. Given the existing built forms in the area along with the placement and design of the tower, the proposed shadow to be cast from the development are not anticipated to significantly impact the shadowing of existing parks.

2. Concerns were raised with respect to the increase in height and density given the current policy direction of the Uptown Rideau Secondary Plan.

Response:

The application is not proposing an increase in the maximum permitted heights within the Uptown Rideau Secondary Plan (URSP) area which envision up to 25 storeys on this site and other identified parcels. The recommended zoning is consistent with this policy direction. The application is proposing an increase in Floor Space Index of the site, which is currently at 5.0, and an amendment to the requirement for two public frontages given the rationale above. As noted in the report, the project has been evaluated against the built form policies of the URSP and it is staff's opinion that the proposed amendments are reasonable and in keeping with the overall design intent of the URSP.

3. Concerns were raised with respect to parking spaces being introduced on Besserer Park for the proposed development.

There are no plans to permit off-site parking for the proposed building at Besserer Park. Parking for tenants and visitors will be provided on-site.

4. Concerns were raised with respect to construction impacts for the proposed development.

Response:

As part of the Site Plan Control process, the applicant will be submitting reports with respect to geotechnical conditions and the required method of excavation. The applicant will also be consulting with transportation staff to prepare a plan to manage construction traffic to the site.

Community Organization Comments - Lowertown Community Association

In addition to our original letter of May 4, 2021, the Lowertown Community Association (LCA) offers the following comments subsequent to the meeting of the UDRP on October 8, 2021, regarding the development of a 25-storey residential apartment building at 641 Rideau Street.

Following the UDRP meeting, the LCA continues to have serious concerns about the height and mass of the proposed structure and its impact on the neighbourhood. The changes to the proposed structure as set out in the UDRP document still do not satisfy the criteria for density redistribution as set out in the Uptown Rideau Community Design Plan (URCDP) or the Secondary Plan. The site does not meet the required 2 public realms (streets) test, nor does it not satisfy the proposed FSI limits.

With regard to the Secondary Plan and the proposed amendment to increase the floor space index (FSI) limit, the LCA notes that the Secondary Plan clearly states that the FSI limit for building on this site is 5.0 regardless of the development potential of the lands. The diagrams provided for the UDRP discussion appear to show a slimmer tower above the podium. However, the mass of the podium remains significant and could, in fact, be larger than was originally proposed. No data was provided in the document that was the basis of the UDRP discussions to indicate what the FSI is in the revised proposal.

In more general terms the LCA is concerned that the documentation provided as part of the initial application as well as for the purpose of the UDRP discussion is narrowly focused on the high-rise aspects of the proposed development. It fails to adequately respect other important elements of the Secondary Plan that affect the neighbourhood such as, for example, the heritage landscape that is Macdonald Gardens Park and the low-rise buildings on the south side of Rideau Street.

Section 5.4 of the Secondary Plan addresses Built Form Principles and states that the floor plate should be a maximum of 750 square metres rather than the 804 m square in the original proposal. The LCA supports a comment from a member of the panel that the revised floor plate had been slightly reduced, but nonetheless, that the city's requirements should still be respected.

The UDRP discussions also expressed concerns about the slab-like quality of the latest design and noted the need to increase the sky view and re-proportion the building to do so. The city architect noted the close proximity of the Ottawa Community Housing building at 215 Wurtemberg Street as well as the need to push back the podium and to increase the sky view. The LCA supports these suggestions.

The LCA noted the comment from a UDRP panel member indicating that the developer and OCH had resumed discussions about possible access to the 641 Rideau site from Wurtemberg Street. The LCA understood in April that discussions that would have permitted access to the site had ended and that no new discussions were planned. The LCA would strongly object to the loss of OCH property and facilities such as the driveway and parking spaces that serve to benefit OCH residents.

The LCA previously indicated its concerns about the increase in traffic flows that the proposed project will bring to residential areas caused by the impact of right in/right out turns from and onto Rideau Street. A specific concern raised by residents of Wurtemberg Street since our initial comments is that two apartment buildings and one condominium have circular driveways that are for the use of the residents and guests of the buildings. The concern is the private driveways will likely be used as public turn-around corridors by the residents of 641 Rideau who wish to proceed east on Rideau Street rather than taking the longer route around Macdonald Gardens Park in order to turn east on Rideau Street.

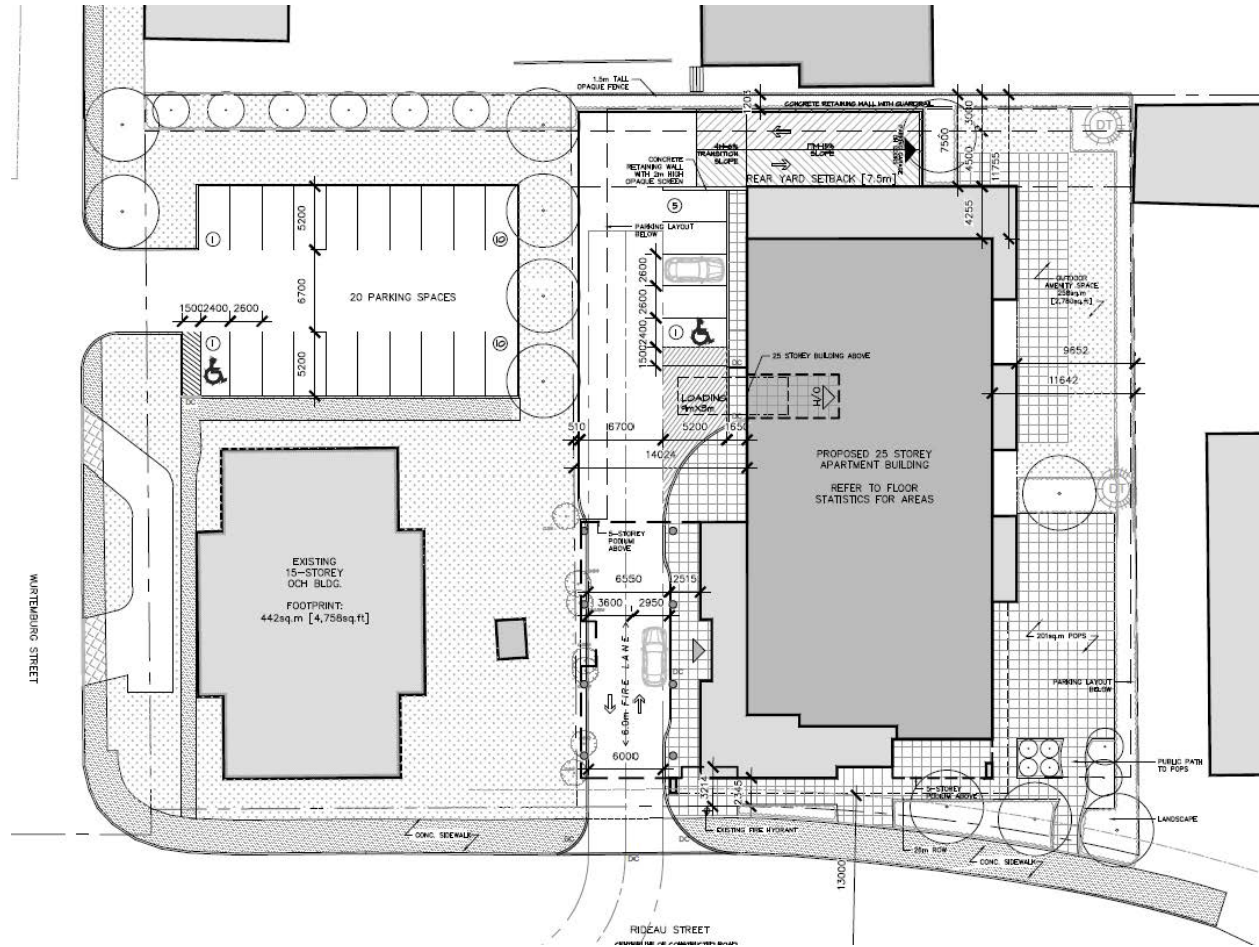
The LCA previously noted the absence of a geotechnical report that would address matters such as sub-surface conditions, groundwater, basement and foundation excavation and shoring systems. This is important to the community given the information available from the Rideau Valley Conservation Authority that demonstrates significant instability in the soil along the banks of the Rideau River that could affect the integrity of new structures built close to the riverbank.

The LCA remains strongly opposed to the project as proposed.

**Document 7 – Conceptual Elevations**



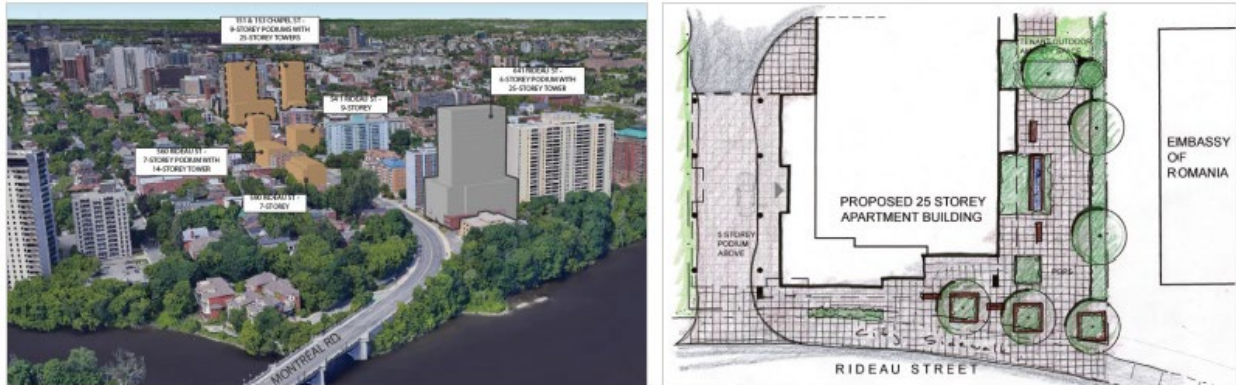
Document 8 – Conceptual Site Plan





## Document 9 – Urban Design Review Panel Recommendations

**641 RIDEAU STREET** | Formal Review | Official Plan and Zoning By-law Amendment | Theberge Homes; GBH Consulting; S. J. Lawrence Architect Incorporated; Fotenn Planning + Design



- The Panel thanked the proponent for the changes made and recognized the improvements to the building design, including reducing the podium's height.
- The Panel expressed concerns with the site's civic relationship to the river and the views from the bridge, the location of the POPS and the slab-like *perception* of the tower.

### Public Realm

- The Panel strongly believes the POPS should be an integral part of the Rideau Street landscape. Moving the tower further north and setting back the podium further from the adjacent buildings would open up visibility from the river and create a greater area to relocate the POPS along the front instead of being tucked away on the side of the building.
- With the POPS facing the street, there is an opportunity to have a double row of trees to create a boulevard feel on Rideau Street.
- The Panel encourages the proponent to continue negotiating access from Wurtemberg Street to improve the site's porosity.

**Massing**

- The Panel is concerned with the slab-like quality of the tower, which contributes to solid wall of buildings when viewed from the other side of the river.
- The Panel believes the tower floorplate should be no more than 750 square metres. The proponent should consider slimming down the tower from the right-hand side to open the sky views between buildings.
- The proponent should work with OCH to maintain the 23-metre separation distance, consider having a square floorplate, reduce the building's height, widen the building, and push the podium further north.
- There was a suggestion to revise the ground floor plan as the proposed plan could have building code issues; the stairs should exit to the outside, where the dog washing station is.