

Subject: Zoning By-law Amendment – 18 Louisa Street

File Number: ACS2022-PIE-PS-0046

Report to Planning Committee on 12 May 2022

and Council 25 May 2022

Submitted on April 12, 2022 by Lily Xu, Acting Director, Planning, Real Estate and Economic Development

Contact Person: John Bernier, Planner, Development Review Central

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Ward: Somerset (14)

Objet : Modification du *Règlement de zonage* – 18, rue Louisa

Dossier : ACS2022-PIE-PS-0046

Rapport au Comité de l'urbanisme

le 12 mai 2022

et au Conseil le 25 mai 2022

Soumis le 12 avril 2022 par Lily Xu, Directrice par intérim, Direction générale de la planification, des biens immobiliers et du développement économique

Personne ressource : Jean-Charles Renaud, Urbaniste, Examen des demandes d'aménagement centrale

613-580-2424, 27629, Jean-Charles.Renaud@ottawa.ca

Quartier : Somerset (14)

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 18 Louisa Street to permit a 10-storey mixed-used building, as detailed in Document 3.**
- 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 May 25, 2022 subject to submissions received between the publication of this report and the time of Council’s decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l’urbanisme recommande au Conseil municipal d’approuver la modification à apporter au *Règlement de zonage n° 2008-250* pour le 18, rue Louisa afin de permettre de construire un immeuble polyvalent de 10 étages, selon les modalités précisées dans la pièce 3.
2. Que le Comité de l’urbanisme approuve l’intégration de la section Détails de la consultation du rapport dans le cadre de la « brève explication » du Résumé des mémoires déposés par écrit et de vive voix, à rédiger par le Bureau du greffier municipal et à soumettre au Conseil municipal dans le rapport intitulé « Résumé des mémoires déposés par écrit et de vive voix par le public sur les questions assujetties aux "explications obligatoires" de la *Loi sur l’aménagement du territoire* à la réunion tenue par le Conseil municipal le 25 mai 2022 », sous réserve des mémoires qui seront déposés entre la publication de ce rapport et la date à laquelle le Conseil municipal rendra sa décision.

BACKGROUND

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

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

Site location

18 Louisa Street

Owner

Ironwood Fund Limited Partnership (c/o Ken Jennings)

Applicant

Fotenn Consultants Inc. (c/o Ghada Zaki)

Architect

Hobin Architects

Description of site and surroundings

The subject site is located on the west side of Bell Street between Arlington Avenue to the south and Louisa Street to the north in Somerset Ward. The total site area is approximately 3,260 square metres and is currently occupied by a three-storey commercial office building with surface parking.

The area surrounding the property is characterized by a broad mix of residential uses and building typologies. Immediately north of the property are several low-rise residential buildings with frontages along Louisa Street as well as a surface parking lot. To the east of the subject site, across Bell Street, is a 13-storey, high-rise residential apartment building. To the south of the subject site, across Arlington Avenue, are several low-rise detached and apartment residential buildings as well as a church. Further south, approximately 100 metres from the property is Highway 417. Abutting the subject property to the west is a church and associated surface parking lot.

Summary of requested Zoning By-law amendment proposal

The application for Zoning By-law Amendment proposes to rezone the subject site from Minor Institutional, Subzone A (I1A) to Residential Fifth Density, Subzone B with site-specific provisions (R5B [XXXX] S(YYY)). The purpose of this rezoning is to support the redevelopment of the site for a mixed-use, 10-storey building consisting of 139 residential units, 80 underground parking spaces, seven surface parking spaces, and a rooftop amenity area. A portion of the existing three-storey building will be retained on the western side of the property and will contain the commercial uses present today, along with some additional uses requested through this zoning amendment, outlined below.

The site-specific provisions and zoning schedule include:

- Adding commercial uses that are present on site along with a few additional similar uses, including: medical facility, office, instructional facility, artist studio, recreational and athletic facility, daycare, and place of assembly;
- Relief from the bicycle parking access aisle width to 1.2 metres, whereas 1.5 metres is required;
- Reduced corner side yard setback to 2 metres, whereas 3.0 metres is required;

- Height limited to 34 metres, whereas 15m is required; and
- Exemption from Sections 65 and 66 to allow permitted projections.

Staff are also currently reviewing a Site Plan Control application for this development (see Documents 5).

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law Amendments. A public meeting was held via Zoom call on September 23, 2021, from 6:30-8 PM. Approximately 10 residents were in attendance.

Comments were received from ten residents. The concerns related to the density of the site and neighbourhood as a whole, traffic congestion, limited parking, and overall lack of services in the area to support this development. Other concerns related to the height of the building.

Official Plan designations

The subject property is located within the General Urban Area designation on Schedule B of the Official Plan.

Other applicable policies and guidelines

The Urban Design Guidelines for High-rise buildings apply to buildings that are 10 storeys or more in height. These guidelines support the importance of high-rise buildings, stating that they contribute to intensification and efficient development patterns that support healthy, liveable and safe communities.

Urban Design Review Panel

The property is not within a Design Priority Area.

Planning rationale

Official Plan

The site is designated General Urban Area on Schedule B of the Official Plan. The General Urban Area designation permits many types and densities of housing, as well as employment, retail uses, service, industrial, cultural, leisure, greenspace,

entertainment and institutional uses. The City supports intensification in the General Urban Area where it will complement the existing pattern and scale of development and planned function of the area.

Section 2.2 Managing Growth states that lands designated General Urban Area will continue to mature and evolve through intensification and infill but at a scale contingent on proximity to major roads and transit, and the area's planned function. The proposed redevelopment represents this desired intensification. The height maintains compatibility with the surrounding context.

Sections 2.5.1 and 4.11 speak to design and compatibility. Matters of site and building design, such as setbacks, transitioning, massing, material, and height are examined to determine compatibility between proposed and existing uses. The proposed 10-storey building has been carefully designed to ensure that the height and massing is strategically located on site to minimize the impact the building may have on the surrounding properties. The additional uses proposed are consistent with what is present on site today and will complement the mixed-use nature of this area.

Staff are of the opinion that the proposed redevelopment is in line with Official Plan policies.

New Official Plan

The new Official Plan was adopted by Council in the fall of 2021 and approval from the Ministry of Municipal Affairs and Housing is expected in 2022. Staff seek to ensure that proposals reviewed in the interim have regard for the proposed new policies.

Under the new Official Plan, the subject property would be located within the Downtown Core Transect under Schedule A and be designated as an Evolving Neighbourhood under Schedule B1. The purpose of Evolving Neighbourhood overlay is to support the transition to an urban form in terms of use, density, built form and site design. These areas are found within close proximity to supportive transit networks, including major hubs and corridors.

The proposed intensification on this site supports the policies being put forward by the new Official Plan.

Zoning By-law 2008-250

The property is currently zoned I1A (Minor Institutional, Subzone A). This designation permits a range of service-based and community uses that are presently being enjoyed

in the existing building. The Zoning Amendment seeks to change the zoning designation for the entire site to R5B (Residential Fifth Density, Subzone B), with an exception to recognize some existing I1A uses, along with some additional commercial uses. The requested uses that are presently allowed under the I1A Zone are: recreational and athletic facility, daycare, and place of assembly. The additional uses that are being requested are: medical facility, office, instructional facility, and artist studio. These uses are similar in nature as the as-of-right uses and are appropriate given the context.

The requested zoning designation is reflective of the nearby 13-storey high-rise residential building, known as the Liv Building to the east, which is zoned R5B [2463] H(41). The maximum building height requested through this proposal is 31 metres, which is 10 storeys. At 31 metres, the proposal remains in keeping with the overall direction of the Official Plan and Secondary Plan and meets the intent of the R5 zone, while also providing an appropriate transition from the existing high-rise building to the east. Furthermore, the building includes a three-storey brick base that interfaces well with the existing low-rise residential buildings to the south. There is a 1.8 metre stepback at the fourth floor along Bell Street, to provide some relief within this corridor, and to reduce the 'canyon effect' that may occur when two tall buildings are built on either side of a right-of-way. Lighter material is provided to ensure that this upper volume is not overbearing on the surrounding low-rise buildings. See Document 6 – Proposed Elevations.

The rezoning also seeks to make site-specific changes to the standard R5B zoning setback requirements for a high-rise apartment building. Specifically, they are requesting a 2-metre corner side-yard setbacks for a portion of the building along Arlington Avenue and Louisa Street, whereas the Zoning By-law requires 3 metres. The actual range is between 2 metres and 8.2 metres, with the proposed building located closer to the street, thus reinforcing the street edge and corners of the site.

Finally, a minor amendment is requested for the bicycle parking aisle provisions. This is to recognize tighter aisles within the garage lockup area of 1.2 metres. However, many of the bicycle lockup areas include the required 1.5 metre aisles. The reduction is appropriate given that the lockups run parallel to the aisle, therefore users will not have difficulty removing the bicycles from the cages.

Urban Design Guidelines for High-Rise Buildings

Transition has been evaluated using the Urban Design Guidelines for High-Rise Buildings and is being met through strategic massing and building arrangement, effective setbacks, as well as an appropriate angular plane between the high-rise building and the low-rise buildings to the south. The high-rise portion of the building maintains an over 23 metres separation from the existing high-rise to the east. Should the lands to the west redevelop in a similar fashion, there is adequate tower separation here as well. As part of the Site Plan Control process, the proposal will be further evaluated against the applicable design guidelines.

Staff are of the opinion that the proposed Zoning By-law amendment is appropriate for this site.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor McKenney provided the following comments:

"I am disappointed the applicant made little effort to address resident feedback and ensure any new construction at this site is properly incorporated into the surrounding neighbourhood.

Increased height can be accommodated in low-rise neighbourhoods if appropriate attention is paid to the pedestrian realm and the podium reflects the scale and built form of neighbouring properties. There are not sufficient setbacks at the 3rd storey on the north and south facades. These setbacks should be increased to at least 2m to create a strong podium and better reference the low-rise residences to the north and south of 18 Louisa Street.

The current zoning permits a maximum height of 15 m and most of the surrounding properties are zoned R4UD with a 14.5m height limit. I support rezoning this building for a residential use and added residential density at this location is in line with the City's intensification goals. However, this building is proposed to be nearly 34m so greater

effort needs to be made to soften its impact on the surrounding low-rise neighbourhood."

LEGAL IMPLICATIONS

In the event the recommendations are adopted and the resulting zoning by-law is appealed to the Ontario Land Tribunal, it is expected that a three day hearing would be required. It is anticipated that the hearing could be conducted within staff resources. Should the application be refused, reasons must be provided. An external planner would need to be retained by the City.

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

It has been confirmed that there is sufficient capacity in the existing water, wastewater and stormwater infrastructure systems to accommodate the proposed development.

FINANCIAL IMPLICATIONS

There are no direct financial implications. In the event the applications are refused and appealed, it would be necessary to retain an external planner. This expense would be funded from within Planning Services operating budget.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report. Any Ontario Building Code requirements for accessibility will be imposed at the building permit stage.

ENVIRONMENTAL IMPLICATIONS

A Tree Conservation Report (TCR) and Phase 1 Environmental Site Assessment (ESA) according City standards have been prepared in support of this application. The recommendations of the TCR and Phase 1 ESA will be incorporated into the Site Plan review and resulting Site Plan Agreement.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Thriving Communities
- Sustainable Infrastructure

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-21-0067) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to due to issues needing to be resolved and workload constraints.

SUPPORTING DOCUMENTATION

Document 1	Location Map
Document 2	Zoning Schedule
Document 3	Proposed Zoning By-law Amendment
Document 4	Consultation Details
Document 5	Proposed Site Plan
Document 6	Proposed Elevation

CONCLUSION

The Planning, Infrastructure and Economic Development department supports the proposed Zoning By-law amendment to permit a 10-storey mixed-used building. The proposal is consistent with the Official Plan policies for intensification and compatibility. The proposed zoning amendment is appropriate for the site and maintains policy objectives. The amendment represents good planning and, for the reasons stated above, staff recommends approval of the Zoning By-law Amendment.

DISPOSITION

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

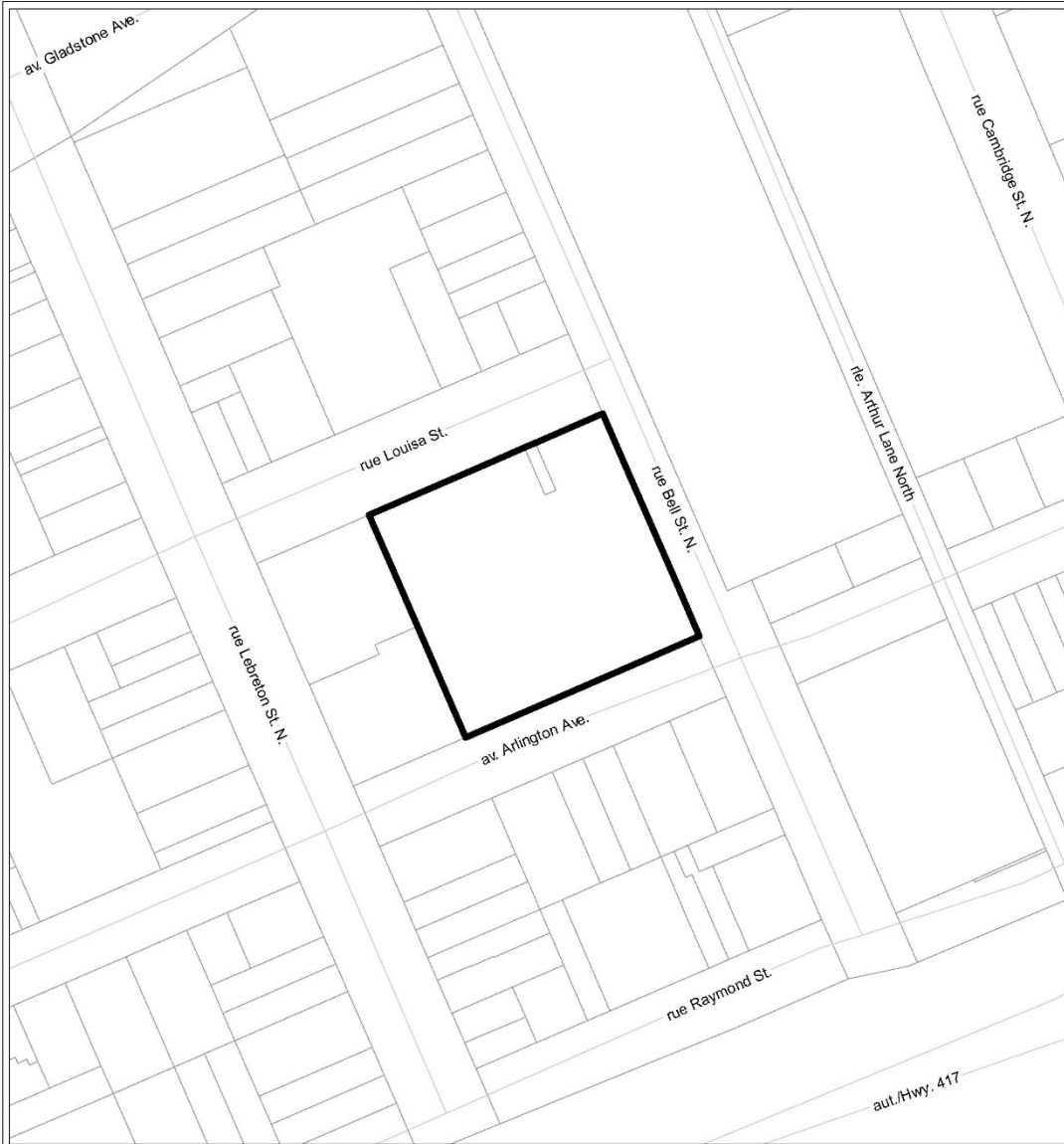
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.




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

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

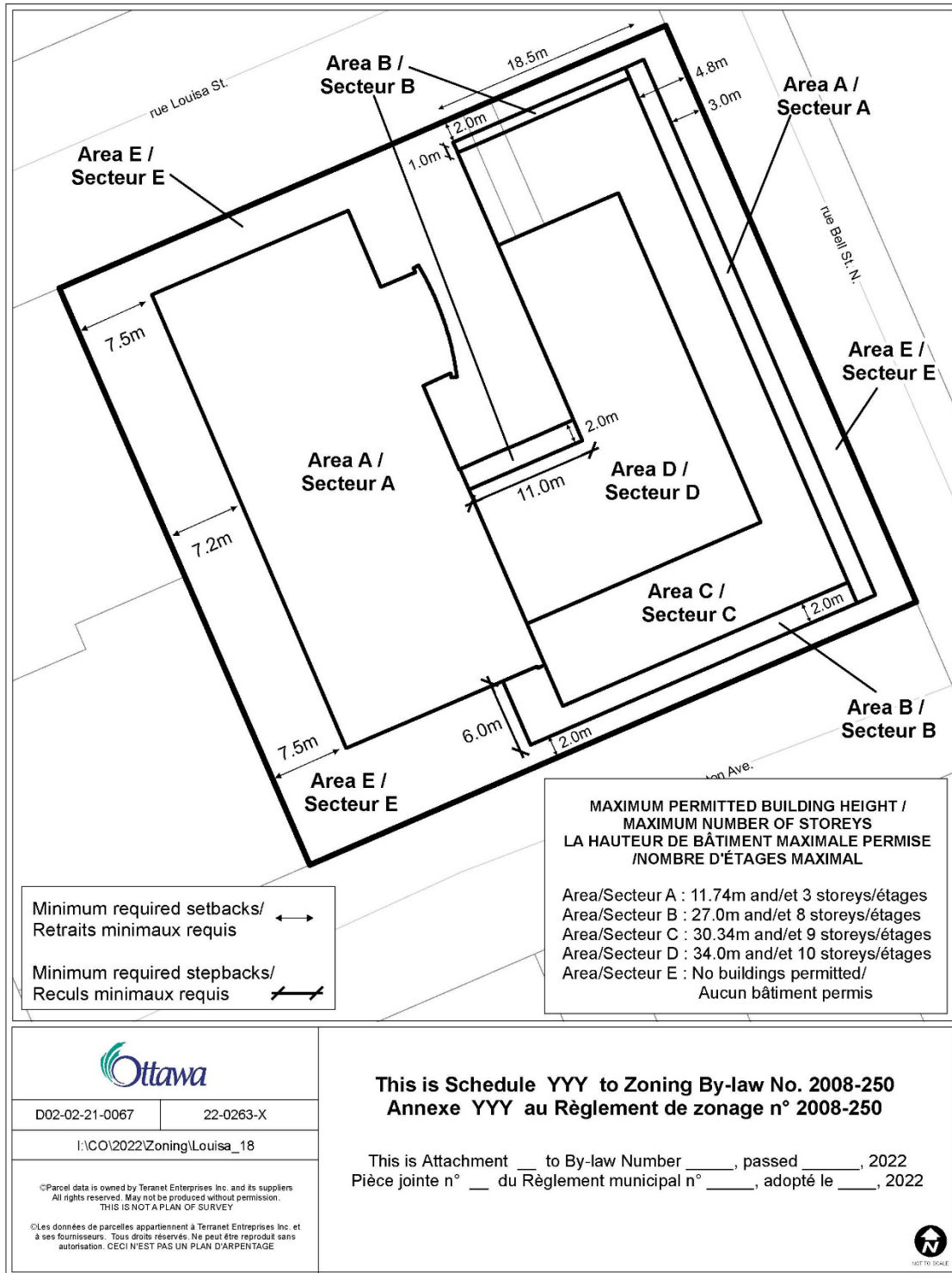
Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE SITE PLAN / PLAN DE EMPLACEMENT	
D02-02-21-0067	21-1021-X		
D07-12-21-0102			
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REVISION / RÉVISION - 2021 / 07 / 19			 <small>NOT TO SCALE</small>
Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) / Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)			

Document 2 – Zoning Schedule



Minimum required setbacks/
Retraits minimaux requis ↔

Minimum required stepbacks/
Reculs minimaux requis ↗↘



D02-02-21-0067 22-0263-X

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

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



NOT TO SCALE

Document 3 – Proposed Zoning By-law Amendment

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 18 Louisa Street:

1. Area A shown in Document 1 to be rezoned from I1A to R5B [XXXX] S(YYY)
2. Amend Part 17, by adding a new Schedule “YYY”
3. Add a new exception, XXXX to Section 239, Urban Exceptions, introducing provisions similar in effect to the following:
 - a. In Column II, Applicable Zoning, add the text “R5B [XXXX] S(YYY)”;
 - b. In Column III add ‘medical facility, office, instructional facility, artist studio, recreational and athletic facility, daycare, and place of assembly’ as additional permitted uses;
 - c. In Column V, Provisions, add the following text:
 - i. Maximum building heights and minimum building setbacks are as per Schedule YYY
 - ii. Minimum aisle width for a bicycle lockup: 1.2 metres
 - iii. Permitted projections listed in Section 64 and 65 are not subject to the height limits identified on Schedule YYY

Document 4 – Consultation Details

Notification and Consultation Process

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

Summary of Public Comments and Responses

Transportation

Comments:

1. The development needs to consider area bike thefts – all required lockups should be located in-doors in a secure lockup.
2. Concerns related to traffic congestion that is present and will be exacerbated through this development.
3. Concerns related to the lack of parking in the area and whether the subject development is seeking relief from the parking rates contained within the Zoning By-law.

Responses:

1. Generally, staff encourage Applicants to provide a 1:1 ratio of residential units to secure bicycle parking spaces, despite the fact that the Zoning By-law does not require this. Due to space constraints related to retaining a portion of the existing building, the Applicant was not able to accommodate this request. However, the proposal does include higher-quality bicycle cages within the building.
2. The Applicant submitted a Transportation Impact Assessment that supports this development. The area is well served by public transit, and the Highway 417 on-ramp is relatively close to the site.
3. This development is providing a total of 87 parking spaces (80 underground and seven surface), per the Zoning By-law. Furthermore, the Bell Street frontage includes on-street parking via a lay-by and there will be an opportunity for parking on both the Arlington Avenue and Louisa Street frontages.

Density/Height

Comments:

1. The proposal is too dense and is under-served by grocery stores.
2. The proposal will set a precedent and cause other sites to the west to redevelop.

Response:

1. The proposal represents a density anticipated by the City's current and new Official Plan. The existence of a grocery store or any other commercial business is a function of the free market and there is no requirement for a developer to consider whether the building is adequately served by grocery stores.
2. Each application is reviewed on its own merits and would be evaluated on its own merits in relation to policies established by City Council.

Site/Building Design

Comments:

1. The street setbacks should be 4.5m not 2m.
2. From the 14.5m height of building faces on Louisa and Arlington, any additional height should be constrained below a 45 degree sight triangle.
3. The R4-UD's 30% landscaping requirement should be met
4. the R4-UD's minimum 25% 2-Bedroom requirement ought also to be met.
5. The appropriate zoning change is from Institutional to R4-UD with necessary exceptions, rather than R5. As for the idea of a GM zone. This opens the door to all and any use. Not wise.
6. Only existing in-place uses should be permitted to continue on the site. Medical offices generate high parking requirements. The area is oversaturated with parking demand from the existing Bell Street apartment towers.

Responses:

1. The 2m setback allows for the building to reinforce its presence on the street corner. This setback is for approximately half of the frontage, the other half has over 8 metres, enough to provide additional landscaping.

2. The 45-degree angular plane is a guideline that is largely being met. The Applicant has provided a three-storey podium that is consistent with the datum that is established on the street. The building features multiple setbacks, and a lighter upper volume to reduce the over size and impression of it being a high-rise building. The height is optimally located towards the taller building across the street.
3. This is not an R4 zone; However, the site is 38% landscaped.
4. This is not an R4 Zone, but they are providing 21% 2-bedroom units.
5. The area is in transition and is characterized by high-rise buildings. The R5 designation with exceptions to allow the commercial/service uses is the most appropriate.
6. A medical office can be similar in nature to a business that offers physio or massage therapy. Additionally, the 'place of assembly' use allowed under the present I1A zoning has the potential for more than double the parking requirements at peak times. The Owner will be required to confirm that the development has a sufficient number of parking spaces for the actual on-site uses through their tenant fit-up application (building permit). Presently, they anticipate a small office of approximately 200 square metres, which requires four spaces.

Trees

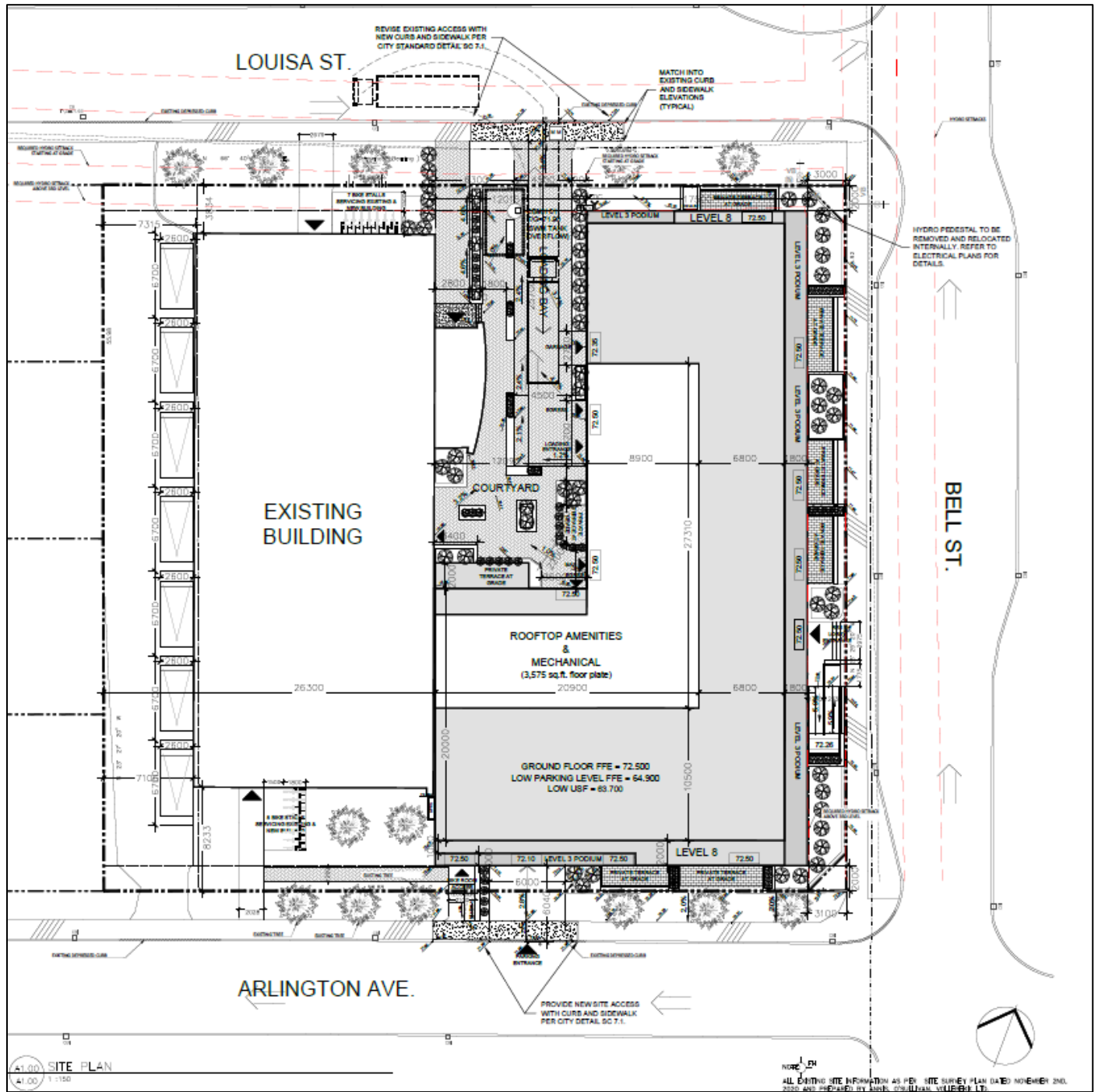
Comments:

1. Concerned with the loss of mature trees.
2. The proposal should include more trees

Responses:

1. The Tree Conservation Report provided to support this application demonstrates that the trees proposed for removal were largely in poor condition. The retention of the trees would have meant a significant setback of the building and underground garage to be outside of the trees critical root zone.
2. The proposal includes approximately 17 new trees to replace the 11 trees that will be removed. A large number of shrubs will also be included in areas where trees cannot grow.

Document 5 – Proposed Site Plan



41.00 SITE PLAN
41.00 1:150

NO 1/8" = 1'-0"
ALL EXISTING SITE INFORMATION AS PER SITE SURVEY PLAN DATED NOVEMBER 2ND, 2010 AND REVISIONS BY LARK CONSULTING, LLC.

Document 6 – Proposed Elevation



1 SOUTH ELEVATION
A3.00 Scale: 1: 200



2 WEST ELEVATION
A3.00 Scale: 1: 200