

5. OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT, 979 WELLINGTON STREET WEST
- MODIFICATIONS AU PLAN OFFICIEL ET AU RÈGLEMENT DE ZONAGE, 979, RUE WELLINGTON OUEST

COMMITTEE RECOMMENDATIONS AS AMENDED

That Council approve:

1. that the first sentence in Document 2, Part B, section 2 be amended by adding the following text after the words 'Scott Street Secondary Plan':

'and the Wellington Street West Secondary Plan';
2. an amendment to the Official Plan, Volume 2a, Scott Street Secondary Plan, by removing 979 Wellington from the plan boundary as detailed in Document 2, as amended;
3. an amendment to the Official Plan, Volume 2a, West Wellington Secondary Plan, by amending the plan boundary to included 979 Wellington Street, and to permit an increase in building height as detailed in Document 2, as amended;
4. an amendment to Zoning By-law 2008-250 for 979 Wellington Street West to permit a nine-storey mixed use development as detailed in Document 4; and
5. that the implementing Zoning By-law amendment not proceed to City Council until the agreement under Section 37 of the *Planning Act* is executed by the applicant.

RECOMMANDATIONS DU COMITÉ, TELLES QUE MODIFIÉES

Que le Conseil approuve ce qui suit :

1. **que la première phrase de l'article 2 de la partie B du document 2 soit modifiée par l'ajout du texte suivant après les mots « Plan secondaire de la rue Scott » :**

« et au Plan secondaire de la rue Wellington Ouest »;
2. **une modification au Plan officiel, Volume 2a, Plan secondaire de la rue Scott, consistant à retirer le 979, rue Wellington des limites du plan, comme l'expose en détail le document 2, tel que modifié;**
3. **une modification au Plan officiel, Volume 2a, Plan secondaire de la rue Wellington Ouest, consistant à redéfinir les limites du plan de manière à ce qu'elles englobent le 979, rue Wellington, et à permettre une augmentation de la limite de hauteur, comme l'expose en détail le document 2, tel que modifié;**
4. **une modification au Règlement de zonage 2008-250 visant le 979, rue Wellington Ouest, afin de permettre la construction d'un bâtiment polyvalent de neuf étages, comme l'expose en détail le document 4;**
5. **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*.**

DOCUMENTATION/DOCUMENTATION

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated 2 February 2018 (ACS2018-PIE-PS-0007)

Rapport de la directrice, Service de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 2 février 2018 (ACS2018-PIE-PS-0007)

2. Extract of draft Minutes, Planning Committee, 13 February 2018

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 13 février 2018
3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of 28 March 2018, as part of the Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements'.

Résumé des observations écrites et orales à distribuer séparément avec l'ordre du jour de la réunion du 28 mars 2018 du Conseil, comme faisant partie du Résumé des observations orales et écrites du public sur les questions assujetties aux « exigences d'explication » aux termes de la Loi 73.

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
13 February 2018 / 13 février 2018**

**and Council
et au Conseil
28 February 2018 / 28 février 2018**

**Submitted on February 2, 2018
Soumis le 2 février 2018**

**Submitted by
Soumis par:
Lee Ann Snedden,
Director / Directrice,
Planning Services / Services de la planification,
Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique**

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Ward: KITCHISSIPPI (15)

File Number: ACS2018-PIE-PS-0007

**SUBJECT: Official Plan and Zoning By-law Amendment, 979 Wellington Street
West**

**OBJET: Modifications au Plan officiel et au Règlement de zonage, 979, rue
Wellington Ouest**

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve:**
 - (a) an amendment to the Official Plan, Volume 2a, Scott Street Secondary Plan, by removing 979 Wellington from the plan boundary as detailed in Document 2;**
 - (b) an amendment to the Official Plan, Volume 2a, West Wellington Secondary Plan, by amending the plan boundary to included 979 Wellington Street, and to permit an increase in building height as detailed in Document 2;**
 - (c) an amendment to Zoning By-law 2008-250 for 979 Wellington Street West to permit a nine-storey mixed use development as detailed in Document 4; and**
 - (d) that the implementing Zoning By-law amendment not proceed to City Council until the agreement under Section 37 of the *Planning Act* is executed by the applicant**
- 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 City Clerk and Solicitor's Office and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements' at the City Council Meeting of 28 February 2018 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 au Plan officiel, Volume 2a, Plan secondaire de la rue Scott, consistant à retirer le 979, rue Wellington des limites du plan, comme l'expose en détail le document 2;**
 - b) une modification au Plan officiel, Volume 2a, Plan secondaire de la rue Wellington Ouest, consistant à redéfinir les limites du plan de manière à ce qu'elles englobent le 979, rue Wellington, et à permettre**

une augmentation de la limite de hauteur, comme l'expose en détail le document 2;

- c) une modification au Règlement de zonage 2008-250 visant le 979, rue Wellington Ouest, afin de permettre la construction d'un bâtiment polyvalent de neuf étages, comme l'expose en détail le document 4;
- d) 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*.

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 de l'avocat général 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 du projet de loi 73 », à la réunion du Conseil municipal prévue le 28 février 2018, à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

EXECUTIVE SUMMARY

Assumption and Analysis

The site is located at the corner of Wellington Street West and Garland Street, with through frontage onto Armstrong Street. The site is irregular in shape with a lot area of 852.91 square metres, and 19.18 metres frontage on Wellington Street West.

The proposed development is a nine-storey mixed-use building with a gross floor area of 3,369 square metres reaching 31 metres in height. The building will contain commercial/retail uses at grade, and residential units above. The proposed building will have a total of 57 residential units.

The property requires amendments to both the Scott Street and Wellington Street West Secondary Plan. The proposed Official Plan Amendments seek to:

- remove the rear portion of the site from the Scott Street Secondary Plan boundary and Low Rise Residential designation;

- extend the boundary of the Wellington Street West Secondary Plan to include this portion of the site within the Traditional Mainstreet designation; and
- permit an increased building height of nine storeys.

The department supports the proposed amendment to the Scott Street and Wellington Street West Secondary Plan and Zoning By-law amendment. The proposed development program is consistent with the criteria established in the Wellington Street West Secondary Plan that allows for the consideration of additional height up to a maximum of nine stories. As well, the approval secures community benefits as required by the Secondary Plan to be provided at the time of development through an agreement with the City.

Public Consultation/Input

As part of the public consultation process notice was provided as per the City of Ottawa's public notification and consultation process. Twenty-one comments were received, of those 12 requested notification or information on the project and to be updated on any file activity, or were in support. Nine comments raised concerns with the proposal with respect to increased height, shadowing impacts, and setting development precedents for the area. A summary of the comments received are found in Document 5 of the report.

RÉSUMÉ

Hypothèse et analyse

L'emplacement, situé à l'angle des rues Wellington Ouest et Garland, est un lot traversant qui donne également sur la rue Armstrong. De forme irrégulière, il couvre une superficie de 852,91 mètres carrés et présente une façade de 19,18 mètres sur la rue Wellington Ouest.

L'aménagement proposé est un bâtiment polyvalent de neuf étages d'une surface de plancher hors œuvre brute de 3 369 mètres carrés et d'une hauteur atteignant 30,6 mètres. Le bâtiment abritera des utilisations commerciales et de vente au détail au rez-de-chaussée, et des unités d'habitation aux étages supérieurs. Le bâtiment proposé contiendra au total 57 unités d'habitation.

La propriété doit faire l'objet de modifications dans le Plan secondaire de la rue Scott et le Plan secondaire de la rue Wellington Ouest. Les modifications proposées au Plan officiel visent les objectifs suivants :

- retirer la partie arrière de l'emplacement des limites du Plan secondaire de la rue Scott et supprimer la désignation d'immeuble résidentiel de faible hauteur;
- prolonger la limite définie dans le Plan secondaire de la rue Wellington Ouest de manière à inclure cette partie de l'emplacement dans la désignation de rue principale traditionnelle;
- autoriser une hauteur de bâtiment de neuf étages.

Le Service appuie la modification proposée au Plan secondaire de la rue Scott et au Plan secondaire de la rue Wellington Ouest, ainsi que la modification au Règlement de zonage. Le programme d'aménagement proposé respecte les critères établis dans le Plan secondaire de la rue Wellington Ouest, qui permettent la prise en compte d'une hauteur supplémentaire pouvant atteindre neuf étages au maximum. De plus, cette approbation permet d'obtenir des avantages pour la communauté dans le cadre de l'aménagement, comme l'exige le Plan secondaire, par le biais d'une entente avec la Ville.

Consultation publique et commentaires

Dans le cadre du processus de consultation publique, un avis a été émis conformément au processus d'avis public et de consultation des résidents de la Ville d'Ottawa. Sur les 21 commentaires reçus, 12 concernaient des demandes d'avis, d'information ou de tenue à jour sur les activités entourant le dossier, ou encore signifiaient un soutien à l'égard du projet. Neuf commentaires manifestaient des préoccupations au sujet de l'augmentation de la hauteur, des répercussions de l'ombrage provoqué et de la création de précédents en matière d'aménagement dans le secteur. On peut consulter une synthèse des commentaires reçus dans le document 5 joint au rapport.

BACKGROUND

Site location

979 Wellington Street West

Owner

979 Wellington Inc.

Applicant

Novatech Engineering Consultants Ltd.

Architect

Richard Chmiel

Description of site and surroundings

The site is located at the corner of Wellington Street West and Garland Street, with through frontage onto Armstrong Street.

The site is irregular in shape with a lot area of 852.91 square metres, and 19.18 metres frontage on Wellington Street West. Wellington Street West is no longer a continuous segment of roadway and the street dead ends in front of the subject lands. There currently is a two-storey office building on the site, with parking located at the side of the building and the rear of the site. Surrounding uses include residential uses to the east, commercial uses to the south and west, and an automobile repair shop and residential buildings to the north. Somerset Square is located immediately south of the property.

Proposed Development

The proposed development is a nine-storey mixed-use building with a gross floor area of 3,369 square metres reaching 31 metres in height. The building will contain commercial/retail uses at grade, and residential units above. The proposed building will have a total of 57 residential units (three units at grade with direct access to Garland Street, and 54 units on floors two to nine). The residential lobby is located at grade, with separate access from Wellington. The commercial units can be accessed at grade from Wellington Street West and Armstrong Street. There will be a total of 15 parking stalls located in one level of underground puzzle parking which can be accessed from Armstrong Street. The project meets the by-law requirements for visitor parking, and is proposing a minimum of 11 parking spaces for the residential units. Approximately 36 bicycle parking spaces are provided in the underground garage.

The massing of the building transitions downwards from south to north with a nine-storey volume along the Wellington Street West frontage, which decreases to six-storeys then a five storey mass along the Armstrong Street frontage. Private amenity space would be provided on the roof of the building with a private terrace located on the roof of the fifth storey.

Summary of requested Official Plan and Zoning By-law Amendments

To implement the proposed development concept, the site requires amendments to both the Scott Street and Wellington Street West Secondary Plans. The proposed Official Plan Amendments seek to:

- Remove the rear portion of the site from the Scott Street Secondary Plan boundary and Low Rise Residential designation;
- Extend the boundary of the Wellington Street West Secondary Plan to include this portion of the site within the Traditional Mainstreet designation; and
- Permit an increased building height of nine storeys.

The site falls within two zones as per City of Ottawa Zoning By-law 2008-250. The front portion of the site is zoned Traditional Mainstreet, Subzone 11 (TM11). The TM11 zones permits a range of retail and residential uses and allows for a maximum building height of 20 metres. The rear portion of the site is zoned Residential Fourth Density, Subzone T (R4T), which permits a maximum height of 14.5 metres for a low rise apartment building. The proposed application would amend the TM11 and R4T zones and create a new uniform Traditional Mainstreet zoning designation. The Zoning By-law amendment would introduce site-specific zoning provisions to facilitate the implementation of the proposed building. The proposed site-specific standards would apply only to the property, as detailed in a new exception zone set out in Document 4.

DISCUSSION

Public Consultation

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

Twenty-six comments were received in opposition and support of the application. This also includes comments that requested updates on the file. Since the initial submission, revisions have been made to the proposal to address public and staff concerns. These included the reduction in the building height along Armstrong Avenue to a five-storey volume, whereas the original application proposed six storeys and various design improvements based on feedback from the Urban Design Review Panel. A revised parking plan was also circulated to the public for comment that reduced the parking from two levels of underground stacked mechanical parking to one level of underground

parking. Based on feedback from the public and staff the final amount of parking was increased to 11 residential spaces and 4 visitor parking spaces within one level of puzzle parking.

Official Plan Designation

The site is designated Traditional Mainstreet on Schedule B of the City of Ottawa's Official Plan. Mainstreet designations identify streets that offer significant opportunities for intensification through medium density and mixed use development. They include nodes of activity at various scales from institutional uses to small offices and shopping centres. The objective for the Mainstreet designations is to encourage more dense and mixed-use development that supports, and is supported by increased walking and cycling. Intensification will occur over time through such mechanisms as the redevelopment of vacant lots, aging strip malls and parking lots and gas stations.

Section 3.6.3 (10) encourages infill along both Traditional and Arterial Mainstreets in order to optimize the use of land through intensification and provide for building formats that define the street edge, have active frontages, and provide direct pedestrian access to the sidewalk. Section 3.3.3 (12) supports mid-rise building heights up to six storeys on Traditional Mainstreets, unless the location supports policies that permit additional height. These are found in Section 4.11 (9). Of the five scenarios listed, the considerations for greater height in this instance are that a secondary plan identifies locations suitable for greater height and the building can employ built form transition to be compatible with surrounding properties. The site also falls within and is subject to the policies of both the Wellington Street West Secondary Plan, and the Scott Street Secondary Plan. Specific policies within the Wellington Street West Secondary Plan contain additional direction for the consideration of taller buildings within the plan area.

The site is also located within a Design Priority Area and has been subject to review by the City's Urban Design Review Panel.

Scott Street Secondary Plan

The rear half of the property is located in the Scott Street Secondary Plan boundary. The Scott Street Secondary Plan designates this portion of the site as "Low Rise Residential". As the property proposes a new mixed use building encompassing the entire site, the proposed amendment to remove the rear half of the site from the Scott Street Secondary Plan boundary is appropriate and creates a clearer set of policies in which to regulate the site.

Wellington Street West Secondary Plan

The front portion of the site is located in the Wellington Street West Secondary Plan. The site is located in the Somerset Square Area and is designated “Traditional Mainstreet” within the Secondary Plan. The extension of the boundary of the Wellington Street West Secondary Plan to include the rear portion of the site is likewise considered appropriate in that it now creates a uniform policy regime for the property that is consistent with the higher policy direction of the parent Official Plan and land use designations.

Policy 1 of the Wellington Street West Secondary Plan, General Mainstreet Policies states the maximum building height for all new buildings within the Traditional Mainstreet will be six storeys or 20 metres, except where identified by specific policies.

The Somerset Square area policies speak to this area as the node of community activity. This is particularly so given the presence of an existing public open space, its eastern gateway location, its proximity to a future light rail transit station, and the opportunity for redevelopment on several underutilized properties. Specifically, within the Somerset Square Area Policies, those properties fronting the corners of Bayswater Avenue at Wellington and Somerset may consider a zoning by-law amendment to increase the height of buildings up to nine storeys pursuant to Section 37 of the *Planning Act* and with the provision of a community benefit(s). Community benefits include but are not limited to, public space (plaza or parkette), public art, conservation and adaptive reuse of a heritage resource, affordable or supportive housing and/or cash contribution for such at another site, and new or upgraded facilities for the provision of needed services.

Urban Design Review Panel

The property is within a Design Priority Area and while the applicant has undertaken pre-consultation with the Urban Design Review Panel (UDRP), during the Official Plan and Zoning By-law and Site Plan Control process, the applicant presented their proposal to the UDRP at a formal review meeting on April 6, 2017. The recommendations of the panel included:

- A reduced scale of development along the Armstrong Street frontage;
- Further study of the wall condition along the eastern façade;
- Treatment of the upper storeys of the building to blend into the context;

- The building overhand along Garland Street;
- Ensure that infrastructure and servicing elements (gas meters) do not clutter the public realm.

In response to the panel comments, the proposal was revised to include a reduction in the building height abutting Armstrong Avenue from six storeys to five storeys, keeping this portion of the building in-line with the former low-rise residential designation of the Scott Street Secondary Plan. Architectural frames have been added to the north façade to help break up the expanses of masonry on this building elevation.

The Wellington Street façade has been revised by pushing the industrial frame elements back towards the face of the building envelope on floors five through nine, allowing the upper levels to recede into the background. In a response to better emphasize the street wall, the masonry elements of the podium have been extended around the northeast corner of the building and the white metal frame elements have been eliminated at the ground floor.

As well, the overhang above the ground floor residential units has been reduced by bringing the front wall of the residential units closer to the street to allow for more light to enter the residential units and avoid creating a dark space.

Lastly, during the Site Plan Control process, elements such as gas metres will be further studied to have them located in a less obtrusive location on the site where possible.

Planning Rationale

In considering the proposed Official Plan amendment, the key policy considerations are found within the parent Official Plan as well as the Wellington Street West Secondary Plan.

With respect to the multiple land use policy documents that apply to the site currently, the removal of the site from the Scott Street Secondary Plan area and integration into the Wellington Street West Secondary Plan area is an appropriate amendment as it creates a consistent and uniform policy regime.

As per the policies of the Traditional Mainstreet designation of the City's Official Plan, the proposed development presents an opportunity to implement a high density, mixed-use project along a Traditional Mainstreet. The location of the property allows the proposed development to take advantage of the existing services and facilities within the surrounding neighbourhood. The proposed development is a reasonable form of

mixed-use intensification for the site within a strategic policy area that encourages such opportunities. The application is also consistent with the policy direction to optimize the use of land through intensification in a building format that defines the street edge with active frontages through the removal of the existing surface parking lot abutting Scott Street.

Policy 11.3.1 (2) of the Wellington Street West Secondary Plan, General Mainstreet Policies states the maximum building height for all new buildings within the Traditional Mainstreet will be six storeys except where identified by specific policies. In those cases, the City may consider a zoning amendment to allow for an increase in height up to nine stories, pursuant to a Section 37 of the *Planning Act*. The Somerset Square Area Policies, specifically those related to built form, outline those areas for consideration while the Community Design Plan specifically lists addresses that may be considered for additional height. The plan identifies that the redevelopment of properties fronting the corners of Bayswater Avenue at Wellington and Somerset Street shall exhibit gateway architectural design that responds to a location with a prominent vista terminus from several directions. In these areas, additional height is considered appropriate, however no specific language in the Secondary Plan or Community Design Plan defines a gateway or gateway architecture. A staff report was prepared in 2016 for Planning Committee and Council to clarify the use of the terms “landmark” and “gateway architecture” as per the City’s Official Plan and other planning policy documents. In the Official Plan, “Gateway” is defined as:

An important road or path which serves as a major entry into the city, into a district (including the Central Area) or into a local area. Gateways are also created where a road or path intersects with the edge of a district, and are often signified by entrance features.

The questions regarding the term “gateway architecture” stem from what is meant by the word “gateway” and its implications. Based on this interpretation and the location of the property, it is the Departments position that the site is located on a property that can be viewed to serve as a gateway within the Wellington Street Community. The site is defined by the same features and characteristics as the gateway area established in the Secondary Plan, such as existing tall buildings, proximity to transit and prominent vistas. These examples of taller buildings within the immediate area are located specifically along the northern edge and help define the character of the surrounding area. This existing fabric creates the context of the Wellington Street Neighbourhood surrounding the square and it is the opinion of staff that the site and the proposed development concept fits within the existing and planned built form.

As required in the policies noted above that speak to the consideration of additional height under certain criteria, the applicant has agreed to provide community benefits through the required Section 37 agreement. The community benefits to be provided are as a result of extensive community consultation and negotiation include the provision of affordable housing units, the retention of public art, and streetscape improvements to the frontage of the site along Wellington Street West and a cash contribution towards the reconstruction of the Laroche Park field house and cycling improvements on Armstrong Street.

The application further supports the Public Open Space policy direction of the Secondary Plan that speaks to protecting Somerset Square in perpetuity as a public park for the community. As shown in the development concepts found in Document 6, the current access from Wellington Street will no longer be required. This in turn will allow for the expansion of public space and likewise the programmable area of the park. As sites along the street to the east are redeveloped over time and utilize other frontages for access, the replication of this design movement can be replicated to reduce redundant roadways in favour of expanding public space, which both protects and adds to the public asset.

Policy 11.3.1 (3) of the Wellington Street West Secondary Plan states that new buildings over five storeys within the Traditional Mainstreet area shall incorporate architectural articulation and details to form a two to three storey base. This design will ensure compatibility with the existing low-rise, human-scale buildings and provide consistency with the built form vision for these areas. As the proposed building is to be nine storeys at its southerly mass, for a better proportion, it maintains a human scaled five-storey base along the Wellington Street West frontage. The proposed development concept then steps back from the front wall at the fifth storey to reduce the impact of the mass along the most visible edge from a pedestrian's perspective.

Built Form and Compatibility

Section 2.5.1 of the Official Plan provides policy direction on urban design and community compatibility. The Plan speak to encouraging good urban design and quality and innovative architecture can also stimulate the creation of lively community places with distinct character that will attract people and investment to the City. Section 2.5.1 sets out a number of design objectives for new development. The proposed development responds to the design objectives relating to enhancing the sense of community, by creating a development with a distinct identity; defining quality public and private spaces; providing a safe and accessible design and maintaining the character of

a Traditional Mainstreets by providing pedestrian oriented uses that create an active street frontage. The site is also within a Design Priority Area as identified in the Official Plan and was subject to review by the City of Ottawa's Urban Design Review Panel as noted in the report.

In addition to the built form and compatibility policies found in Section 2.5.1 of the Official Plan, additional objective criteria compatibility 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 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, these include traffic and parking as mentioned above but also impact on outdoor amenity areas, sunlight and microclimate.

With respect to parking, while the by-law requires a total of 33 spaces, the applicant is proposing 15 spaces, 11 for residents and four visitor parking spaces. The department does not object to the parking being provided as this site is located within 600 metres of the Bayview transit station, the site is serviced by the 11, 16 and 95 transit routes, and several car sharing services. As well, the Wellington Street traditional mainstreet provides the opportunity for residents to access local goods and services without the need of a private automobile.

While all buildings cast shadows, during the warmer months, the proposed development will have a minimal impact on the amenity areas of adjacent properties and the design of the building helps minimize this impact to the amount practicable. In addition to the above, the impact on adjacent amenity areas is expected to be minimized as these are located to the east of the property and the easterly wall is to contain minimal windows so as to not cause concerns with overlook. Finally, at only nine storeys in height, the proposed development is not expected to have significant microclimate effects associated with wind and wind-mitigating features, such as canopies, can be introduced through the Site Plan process.

In addition to the compatibility criteria presented above and in accordance with the policies of Traditional Mainstreets for considering buildings over six storeys, Section 4.11 of the Official Plan also contains policies related to transition. These policies help ensure that a proposed development is successfully integrated into its surroundings and include measures such as an incremental change in building height, the incorporation of podiums and exterior treatments such as complementary building finishes and colours, cornice lines and building setbacks to achieve compatibility. The proposed building, with its stepback towards the properties to the north, the use of a podium along the southerly façade and architectural characteristics such as strong cornice lines and complementary building materials, will help integrate the taller building into the surrounding community.

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. As well, policies of the Wellington Street West Secondary Plan also permit additional height in specific cases subject to securing community benefits.

In accordance with the Council-approved guidelines, the amount of the Section 37 contribution for this proposal has been determined to be \$165,000.00. This contribution will provide the following:

- \$155,000.00 – Laroche Park field house reconstruction;
- \$10,000.00 – cycling improvements on Armstrong Street;
- Wellington Street West streetscape improvements to be implemented through the Site Plan Control approval
- Public Art; and
- Provision of two affordable housing units.

The details of the Section 37 contributions are also contained within the details of the proposed amendments to the Zoning By-law (see Document 4). The monetary contributions for cycling and Laroche Park will be secured prior to a building permit

being issued. The improvements to Wellington Street and the provision of public art will be included as conditions within the Site Plan Control agreement. Securities will also be provided through the Site Plan Control agreement for these works, and their successful implementation will be inspected by City Staff. The affordable housing units will be secured through a separate agreement with the Affordable Housing Branch. The details on the final Section 37 contribution will be contained within the Section 37 agreement and will be 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.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014.

CONCLUSION

The proposed Official Plan and Zoning By-law amendments to extend the Traditional Mainstreet designation of the Wellington Street West Secondary Plan and the Traditional Mainstreet Zoning to the entirety of the site are consistent with the Provincial Policy Statement and the City of Ottawa Official Plan.

The amendments which propose a uniform policy regime and an increase in the permitted building height is appropriate for the site and the Wellington Street West neighbourhood, and is considered good land use planning. The recommendation from the Hintonburg Community Association in consultation with the Ward Office to initiate further study and consultation into the gateway area policies for this Secondary Plan will provide future direction for properties abutting Somerset Square.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

The applications were subject to public consultation as per the City's policies. Twenty-one comments were received from the public during the consultation period. A summary of the comments received and a response can be found in Document 5.

COMMENTS BY THE WARD COUNCILLOR

Councilor Leiper provided the following comments:

"I and the community have been seized with this application to develop 979 Wellington Street West for several months, and I am very pleased that the developer, City and I have been able to ultimately support the application, which is unopposed by the Hintonburg Community Association (HCA).

This application is for greater height than is called for in the Wellington West Secondary Plan, and I am grateful that our planning staff have treated with the utmost seriousness a change to that recently crafted vision. In addition, I and the community are satisfied that the new Armstrong Street community vision – though not a legally binding document – has been adhered to and was a key component in discussions between the stakeholders.

This parcel occupies a unique position in the streetscape, and can legitimately be described as a gateway though it was not identified as such in the community design planning process. It sits at considerably further distance from the parcels across Wellington than most buildings on the street, mitigating the potential for overpowering the pedestrian realm. Despite this attribute of the site geometry, however, it is with some trepidation that we deviate from the secondary plan, as described below.

Several commitments have been made by the developer to mitigate the effects of this intensification and satisfy the community and I that the building will be a net positive development in Hintonburg:

- The building envelope was modified early in the process to adhere to the Armstrong Street community vision that Council received from my office in January 2017. I am grateful to planning staff for taking that document into account. The efforts by my staff, our consultants, the Hintonburg Community Association (HCA) and the Wellington West BIA to craft that have been borne out; and
- As part of an expanded Section 37 benefit package, the developer will improve Somerset Square adjacent to their building by adding more pedestrian space to this urban park. How this space will look and function will be identified through the site plan control approval process;

More significantly, Hintonburg is fast-changing. Its demography and built form are evolving rapidly in response to the continued intensification thrust in Kitchissippi driven by the imminent arrival of several light rail stations and North American trends toward re-urbanization and gentrification. A chief concern shared by I and residents is that affordable housing is disappearing from our community, and with it the diversity that

helps knit communities together and develop neighbourhood capacity. While LRT is a key to sustainable growth in Ottawa, the irony is not lost on anyone that the effect it has of raising property values will drive out residents who could most benefit from vastly improved public transit.

To mitigate this, the community and I have worked productively with the developer to include two affordable housing units in the building. I am grateful to the City's legal, housing and planning staff for guiding us in those discussions, and especially to the HCA who have made this an underpinning foundation of their position since the beginning of this conversation.

To the best of our knowledge, this is the first time as part of an expanded Section 37 benefits package that a developer has voluntarily included affordable units in an otherwise market-rent building as opposed to providing a cash contribution towards such affordable units. We have had a transparent discussion about the financial implications of that thanks to the openness of both Beament Green and their planning consultant Murray Chown with Novatech.

The HCA has been, in turn, pragmatic about the affordable housing consideration. They and I feel that we have demonstrated that, even on a small-scale project, affordable housing is a key consideration and that it is feasible to achieve. As we continue to discuss the City of Ottawa's approach to housing and homelessness, we will return to this initiative consistently and persistently as an example of what can be accomplished.

It is important to note the legitimate trepidation felt by both myself and the HCA about approving this building partly on the basis that it can be considered a community gateway. Identification those gateways in the community design planning process might have included this parcel with a greater effort to ensure everyone was at the table. There is a feeling that had it been proposed at the outset of that process as such, it may well have been identified as a location that could support greater density and height. That was not the case, however.

There is the possibility that approving this building could open the door to "gateway creep".

To achieve greater certainty moving forward, I have proposed with the support of the HCA to undertake an exercise similar to that of the Armstrong Street vision to identify with greater certainty which parcels in the vicinity of the ward's east end transit stations are supportable as gateways. I will work with the HCA, property owners, the BIA and

other interested stakeholders to better propose which parcels the community can support as gateways before the end of the term of Council. I am grateful that the City is aware of this commitment on my part, and that it will participate in those discussions. The resulting document should help the community hold its representatives accountable as more ad hoc applications inevitably move forward, and provide greater certainty to the development community about what the community and councillor will support or not.

Finally, it is important to note that this conversation has evolved in a very positive way over the past many months thanks to the strong concerns raised by the City's planning staff about deviating from the secondary plan. In turn, the developers, their consultants and the HCA have engaged in a generous and creative conversation to arrive at the point where I can support this application. That path was not always easy, and the application raises certain considerations around how section 37 benefits are negotiated between the City and applicants. The achievement of several public interest benefits related to the final form of this application means those are best left for discussion to another day. However, both the HCA and myself will return to that discussion in the near future.

We are fortunate in Kitchissippi to have a well-crafted Wellington West Secondary Plan to guide the continued growth of our community. It is a modern plan that dovetails with our Official Plan, and takes into consideration the arrival of LRT. The Armstrong Street community vision has added further precision to that plan.

Having an up-to-date vision for our neighbourhood, with clearly-set-out limitations on development, has provided the community with leverage to insist on the greatest possible public interest benefit when there is a potential deviation. It is well worth noting that instead of a discussion about going to twenty-plus storeys from a limit of six with a foreordained outcome, the community in this instance was able to have a very productive discussion in the context of an increase in height of just three storeys.

The contrast between the productive discussion we were able to have in this instance, and the steady march of wild west development in the west end of the ward couldn't be starker. The City has made informal commitments to re-visit our Westboro/Richmond Road secondary plan in the next term of Council. That undertaking can't come soon enough.

My thanks go to the HCA, the applicant, and City staff for their patience and generosity on this file."

LEGAL IMPLICATIONS

Should the recommendations contained within the report be approved, and the implementing by-laws appealed to the Ontario Municipal Board/Local Planning Appeals Tribunal, the matter can be accommodated using internal resources. Should the recommendations be refused, written reasons will have to be provided. In a refusal situation, if an appeal is brought to the Ontario Municipal Board/Local Planning Appeals Tribunal, an external planning consultant would have to be retained. A hearing is estimated to take two days.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with the recommendation in this report.

FINANCIAL IMPLICATIONS

In accordance with the Council-approved guidelines, the amount of the Section 37 contribution for this proposal has been determined to be \$165,000.00. This contribution will provide the following:

- \$155,000.00 – Laroche Park field house reconstruction;
- \$10,000.00 – cycling improvements on Armstrong Street;
- Wellington Street West streetscape improvements;
- Public Art; and
- Provision of two affordable housing units.

The monetary contributions for cycling and Laroche Park will be secured prior to a building permit being issued. The improvements to Wellington Street and the provision of public art will be included as conditions within the Site Plan Control agreement. Securities will also be provided through the Site Plan Control agreement for these works, and their successful implementation will be inspected by City Staff. The affordable housing units will be secured through a separate agreement with the Affordable Housing Branch. The details on the final Section 37 contribution will be contained within the Section 37 agreement and will be 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.

In the event the report recommendations are refused, an appeal is launched and an external planner is retained, the expense would be absorbed from within Planning, Infrastructure and Economic Development's operating budget.

ACCESSIBILITY IMPACTS

The new buildings 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.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

C1 – Residents: Contribute to the improvement of my quality of life.

EP2 – Support growth of local economy.

HC3 – Create new and affordable housing options.

APPLICATION PROCESS TIMELINE STATUS

The application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the additional time required to consult with the public on the project.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Official Plan Amendment

Document 3 Zoning Key Plan

Document 4 Details of Recommended Zoning

Document 5 Consultation Details

Document 6 Concept Plan and Elevations

DISPOSITION

Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista

O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (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, Office of the City Clerk and Solicitor 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
SITE PLAN / PLAN D'EMPLACEMENT

D07-12-16-0188

17-0087-C

I:\CO\2017\Site\Wellington 979

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979, rue Wellington St. ouest / West



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

PURPOSE

LOCATION

BASIS

RATIONALE

PART B – THE AMENDMENT

INTRODUCTION

DETAILS OF THE AMENDMENT

IMPLEMENTATION AND INTERPRETATION

SCHEDULE XX OF AMENDMENT XX – OFFICIAL PLAN FOR THE CITY OF
OTTAWA

PART C – THE APPENDIX

PART A – THE PREAMBLE

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.

1. Purpose

The purpose of these amendments are to amend both the Scott Street Secondary Plan and Wellington Street West Secondary Plan. The summary of the proposed Official Plan Amendments are as follows:

- a) Remove the rear portion of the site from the Scott Street Secondary Plan boundary and Low Rise Residential designation, and
- b) Extend the boundary of the Wellington Street West Secondary Plan to include the entire site within the Traditional Mainstreet designation, and to permit an increased building height of nine-storeys.

2. Location

The site is located at the corner of Wellington Street West and Garland Street, with through frontage onto Armstrong Street. The site is irregular in shape with a lot area of 852.91 square metres, and 19.18 metres frontage on Wellington Street West. Wellington Street West is no longer a continuous segment of roadway and the street dead ends in front of the lands.

3. Basis

The amendment to the Official Plan was requested by the applicant in order to facilitate the construction of a new nine-storey mixed-use building on the property.

4. Rationale

The proposed Official Plan Amendments to create a uniform policy regime and an increase in the permitted building height is appropriate for the site, the Wellington Street West neighbourhood, and is considered good land use planning. The proposal is consistent with the policy direction for Mainstreets in the Primary Official Plan, as well as the Wellington Street and Scott Street Secondary Plans where policy direction is identified relating to the appropriate locations for additional height, along with the provision of community benefits.

PART B – THE AMENDMENT

1. Introduction

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

2. Details

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

2.1 By amending Schedule A – Land Use, is revised to remove the property from the plan Scott Street Secondary plan boundary and all associated land use designations.

2.2 By amending Schedule A – Land Use, is revised to incorporate the property within the Wellington Street West plan boundary and Traditional Mainstreet Designation.

2.3 By amending Schedule B – Site Specific Policy Area, is revised to incorporate the property within the Somerset Square policy area.

2.4 By adding a new policy in Section 11.3.5 – Built Form, 4. as follows:

“Despite Section 11.3.1, the property at 979 Wellington Street West is permitted a maximum building height of nine storeys pursuant to Section 37 of the *Planning Act* where one or more community benefits identified in the Community Design Plan are secured through agreement with the City and will be provided at the time of development”

3. 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.

SCHEDULE A



D01-01-16-0023

17-1485-Y

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LOCATION MAP / PLAN DE LOCALISATION
OFFICIAL PLAN AMENDMENT / MODIFICATION DU PLAN OFFICIEL
PART OF / PARTIE DE 979, RUE WELLINGTON STREET WEST / OUEST



Area to be removed from Scott Street Secondary Plan





D01-01-16-0023

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REVISION / RÉVISION - 2017 / 11 / 10

LOCATION MAP / PLAN DE LOCALISATION
OFFICIAL PLAN AMENDMENT / MODIFICATION DU PLAN OFFICIEL
PART OF / PARTIE DE 979, RUE WELLINGTON STREET WEST / OUEST

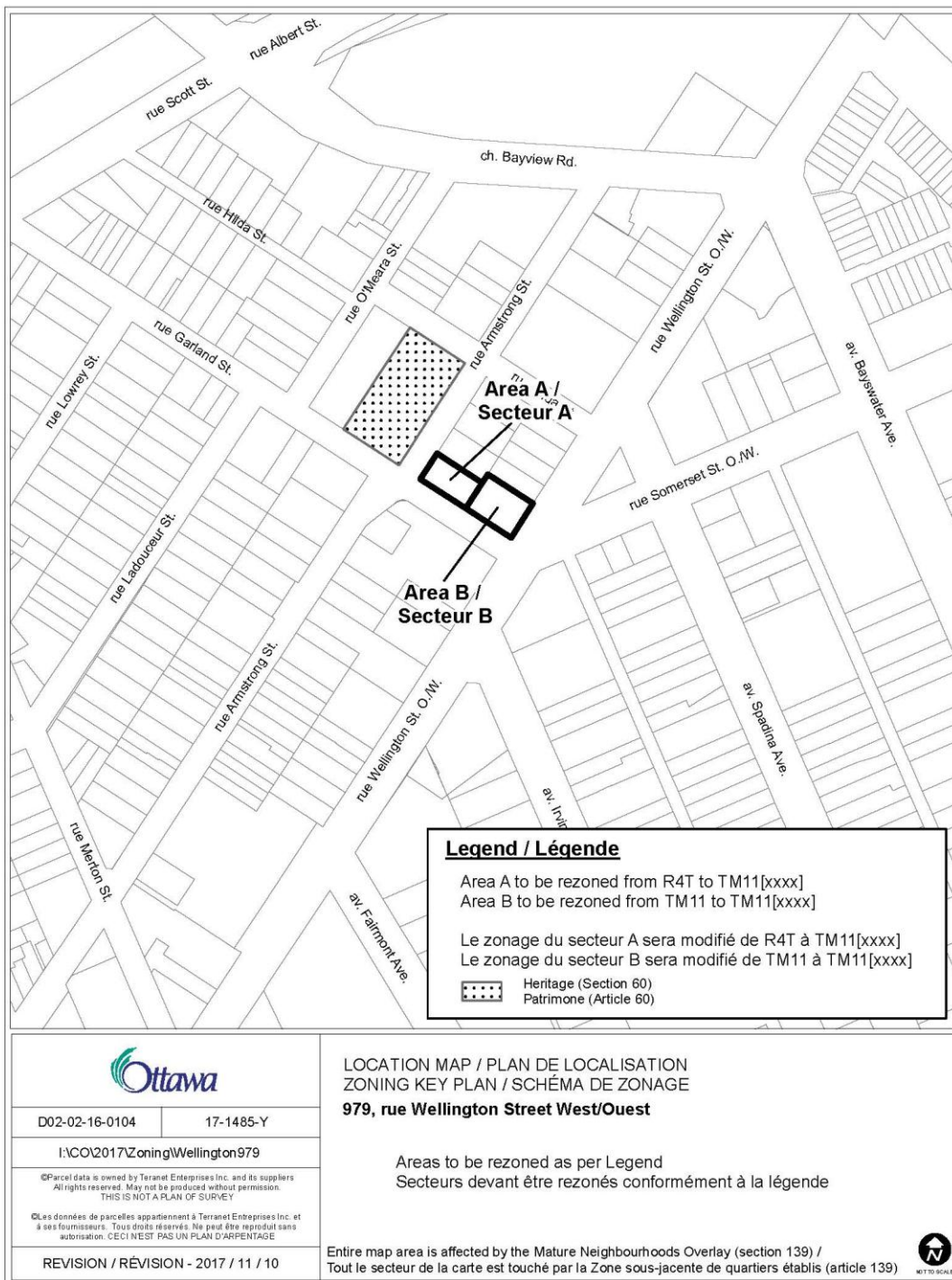


**Area to be added to the Wellington Street West
Secondary Plan Area**



NOT TO SCALE

Document 3 – Zoning Key Plan



Document 4 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 979 Wellington Street West:

1. Rezone the lands shown in Document 1 from R4T and TM11 to TM11[xxxx].
2. Add a new exception TM11 [xxxx] to Section 239, Urban Exceptions, with provisions similar in effect to the following:
 - a. In Column II, add the text, "TM11 [xxxx];
 - b. In Column V, add the text:
 - Minimum Corner Side Yard Setback of 0 metres below five storeys, and 1.5 metres at and above five storeys in height;
 - Minimum Interior Side Yard Setback of 2.9 metres where abutting a residential zone; all others 0.0 metres;
 - Maximum Building Height of 31 metres;
 - No landscaped area is required abutting a residential zone;
 - Minimum Rear Yard of 4.0 metres below five storeys;
 - No part of the building may be located outside of the 45-degree angular plane measured from the rear lot line at 14.5 metres in height;
 - Minimum Front Yard Setback of 0 metres below five storeys, and Minimum of 2.5 metres at or above five storeys;
 - Despite anything to the contrary a mezzanine is permitted within the first storey of the building and will not be considered an additional storey; and
 - Section 139 does not apply;
 - Minimum width of driveway 3.0 metres.
 - Minimum visitor parking – 4 spaces
 - Minimum residential parking – 11 spaces

- Sections 101, 102, 104, 105, 106, 108, 109 and 113 of Part 4, Parking, Queuing and Loading Provisions do not apply to an automated parking system.
3. 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 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.
4. The following will be added as Section X of Part 19 of the Zoning By-law, will be titled 979 Wellington Street West and will set out the facilities, services and matters that must be provided as per Section 37 of the *Planning Act*.

979 Wellington Street West

The City shall require that the Owner of the lands at 979 Wellington Street West 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 agreement will comprise a combination of public benefits including works to be completed by the applicant, and monies that would be paid to the City. The total value of the monies to be secured being

\$165,000.00 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 benefits to be secured and provided are:

- \$155,000.00 – Laroche Park field house reconstruction;
- \$10,000.00 – cycling improvements on Armstrong Street;
- Wellington Street West streetscape improvements to be implemented through the Site Plan Control approval,
- Public Art, to be implemented through the Site Plan Control approval and
- Provision of two affordable housing units through an agreement with the Affordable Housing Branch.

(b) 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.

(c) The payment of Section 37 funds shall be provided prior to the issuance of a building permit for the proposed development.

Document 5 – Consultation Details

Notification and consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by Council for Official Plan, Zoning By-law amendments. Twenty-one comments were received predominately in response to the original application, and of those 12 requested notification or information on the project and to be updated on any file activity, or were in support. The remaining nine comments raised concerns with the proposal. Five additional comments were received specially on the revised parking scheme. Three comments were in opposition to the reduced supply, with two comments that were in support or had no concerns, including the Hintonburg Community Association.

Staff note that during the application review process, the building was redesigned as shown in Document 6 to reduce the building height along Scott Street to five storeys and respond to comments from the Urban Design Review Panel as noted in the report. As well, the parking plan was revised to provide a total of 15 parking spaces within one level of puzzle parking which includes both resident and visitor parking.

1. Concerns were raised with respect to the height of the building and the shadowing impacts of a nine storey building on public space. Concerns were also raised about the impact of the building along Scott Street.

Response: Given the positioning of the building on the north side of Wellington Street with the tallest portion abutting Wellington Street, potential shadowing impacts would be directed to the north and have minimal impact on public space, including Somerset Square. The revised building design on the Scott Street frontage to reduce the building height from six to five stories would further reduce any potential shadowing impact along the Scott Street frontage.

2. Concerns were raised that the proposal, if approved, would set a precedent for other properties in the area. The existing planning policies of the Scott Street and Wellington Street West Secondary Plan should be respected.

Response: The application was reviewed on its own merits and in no manner sets a precedent for other properties within the area. The recommended performance standards apply only to this property.

3. Concerns were raised about potential parking impacts on the local area as a result of the proposed development and reduced parking rate for residents.

Response: The proposed development has not requested any relief in the required visitor parking for the project, which is four spaces. The site is located within 600 meters to the existing O-Train station at Bayview and future Confederation Line Bayview station. The site is also well served by public transit routes and car sharing services.

Hintonburg Community Association

Councillor Leiper, and the applicant, the HCA confirms that we do not oppose the Official Plan amendment to designate this particular property a “gateway,” or the Zoning Bylaw amendment to permit an increase from 6 to 9 storeys at this location. However, this is predicated on a number of specific points, that are detailed as follows:

1. We accept that this location can be considered to be a “gateway,” but want to emphatically state our position that the reasons for this are specific to this site only. Although the term “gateway” was not defined in either the Community Design Plan document nor in the Official Plan amendment that implemented it (see comment 2, below), the general intent can be inferred from the locations cited as gateways in those documents, which are at entrances to the community where they frame significant views. In the case of 979 Wellington, we accept that the intent of the gateway designation is satisfied by this property’s location at a position where it is visible from both Somerset Street heading into Hintonburg and from an extension of Wellington West that would form a future pedestrian/cycling route through the planned major development near City Centre and Bayview LRT station. Since Wellington and Somerset form an angle at this location, this particular property is unique in its placement and potential to be viewed from several major entryways into the community. Furthermore, a gateway can be accommodated here due to the nature of the lot, which fronts on Wellington and Armstrong, and does not directly abut a residential zone. This is certainly not the case on the south side of Somerset and Wellington, which would not be suitable locations for a gateway. Nor would it be acceptable in any way to extend the gateway designations away from this corner and into adjacent blocks.

Therefore, while we do not oppose a gateway designation for this specific property, we insist that it be clearly addressed in the staff report that this is in no way a precedent for any other properties, and that it be specified that the justifications for the designation as gateway in this case are unique to this property.

2. A major flaw in the Community Design Plan and its Official Plan amendment have become apparent, which is the lack of a clear definition of “gateway” (or really any specific indication of how this is determined), and no clear justifications for the choices of the properties originally designated as gateways. Compounding this is the use of both “gateways” and “nodes” without these terms being defined or distinguished. While not a condition for not opposing this particular designation and rezoning, we will be actively pursuing a remedy for this lack of clarity and certainty in the planning documents.

We strongly support Councillor Leiper’s position that a study must be done to provide clarity about gateways. We will collaborate with the Councillor’s office, property owners and the BIA to undertake a gateway study that will examine designated gateways and other properties in the Wellington West, Scott Street, and Gladstone Station areas to determine which properties are either improperly designated gateways, should be confirmed as such, or possibly added to the list. We will expect that such a community gateway vision will be taken into account in future planning applications by the Planning Department.

Therefore, we expect that a gateway planning study will be undertaken soon, led by the Councillor’s office and with planning staff participation and that it will provide greater certainty in future planning in the West Wellington CDP area.

3. We understand that Section 37 community benefits funds will be collected as a result of the rezoning of this property. We wish to emphasize that this is simply a statutory requirement, and is not to be viewed as a quid pro quo for approval of this application, and in particular, for the HCA not opposing it. The use of any Section 37 funds shall be determined by the Councillor in consultation with the community.

We do not accept that Section 37 funds must be used for “improvements” to Somerset Square park, which was part of the original proposal by the applicant. Rather, the funds must be used for priorities determined by the community.

4. We approve of a proposal to close off the small section of Wellington West immediately in front of the current driveway for 979 Wellington, and incorporate it into the park and sidewalk interlock. This will provide public space and could provide an expanded future patio space for a business located in the proposed development.

We would welcome any expanded park/sidewalk space to replace a section of this dead end of Wellington West. It should be emphasized, however, that this provides a clear benefit for the new development and should not be counted towards satisfying Section 37 fund requirements.

5. We proposed that a portion of the units in the proposed rental building be set aside for affordable housing.

We strongly support the offer of two units to be set aside as affordable rental units in perpetuity, by an agreement with a non-profit housing provider that is legally enforceable (e.g., registered on title). Again, this is in addition to any Section 37 requirements. We very much appreciate this offer made by the applicant and the enthusiastic participation of Councillor Leiper in its implementation. We believe this is an important precedent for the provision of affordable housing in Ottawa.

The proposed development conforms to the recent Armstrong Street Study. In particular, the 45 degree plane and active street frontage along Armstrong, and the minimization of the impact of the entrance to underground parking are positive features. Similarly, the active frontage along Garland is an improvement.

We consider these to be important aspects of the design that certainly should be retained.

Response

With respect to the application forming a precedent for future applications, it is the onus of each individual application to advance an appropriate land use planning rationale. Based on the individual context and details of this application, it is the opinion of staff that the site represents a gateway location. As well, it is staff's understanding that while the scope has yet to be defined, the ward councillor will initiate a future study of gateways and nodes within the Secondary Planning area. With respect to the Section 37 agreement that forms part of the approval, the following public benefits are to be secured:

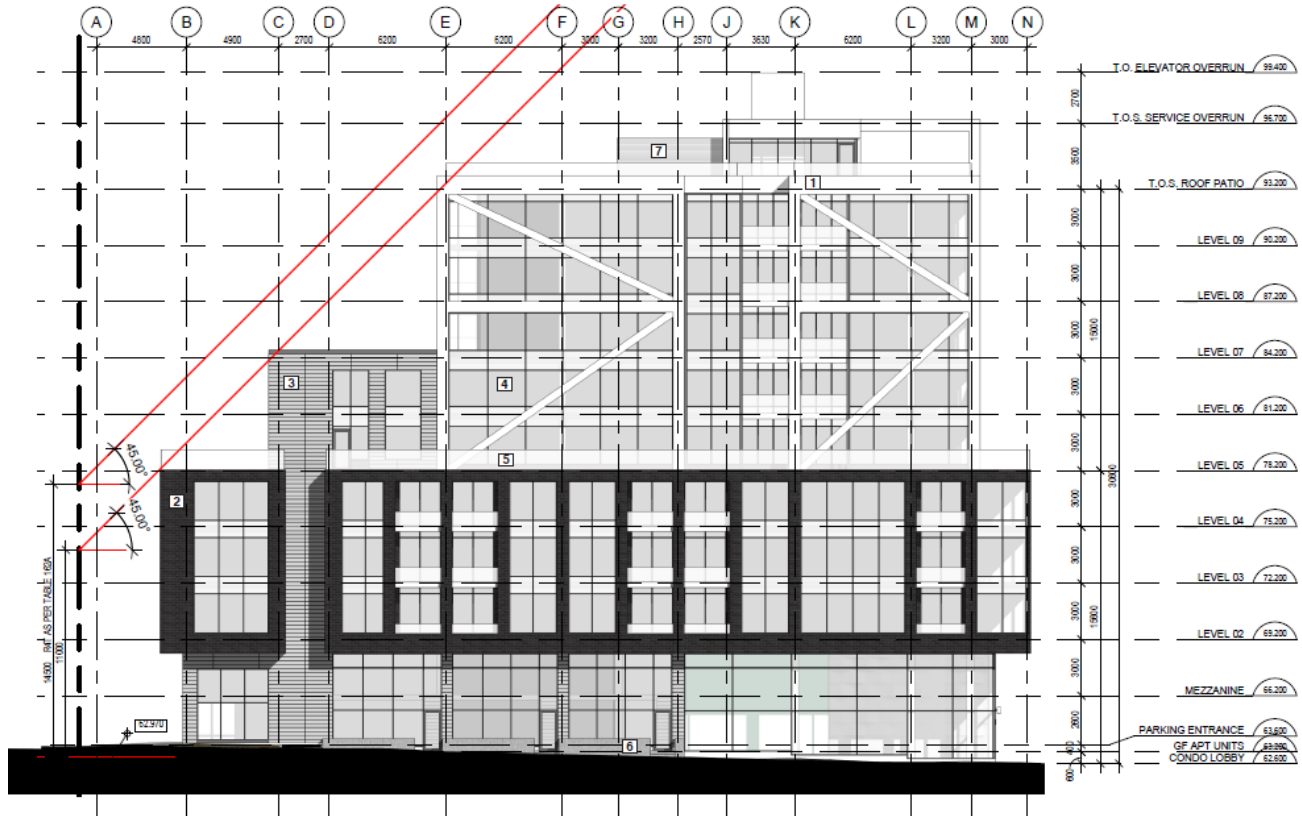
- Affordable housing units,
- Public realm improvements,
- Public Art, and
- \$155,000.00 – Laroche Park field house reconstruction;

- \$10,000.00 – cycling improvements on Armstrong Street;

The direction of the monies for the ward has been discussed in consultation with the Ward office.

Document 6 – Concept Elevations and Perspectives

1



3

