

5. Zoning By-law Amendment – 70 Gloucester Street and 89 and 91 Nepean Street

Modification du *Règlement de zonage* – 70, rue Gloucester et 89 et 91, rue Nepean

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 70 Gloucester Street and 89-91 Nepean Street to amend Exceptions 1811 and 1834 as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification du *Règlement de zonage 2008-250* visant le 70, rue Gloucester et les 89 et 91, rue Nepean afin de modifier les exceptions 1811 et 1834, comme le précise le document 2.

Documentation/Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated October 30, 2019 (ACS2019-PIE-PS-0123)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 30 octobre 2019 (ACS2019-PIE-PS-0123)

2. Extract of draft Minutes, Planning Committee, November 14, 2019

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 14 novembre 2019

Report to
Rapport au:

Planning Committee
Comité de l'urbanisme
14 November 2019 / 14 novembre 2019

and Council
et au Conseil
27 November 2019 / 27 novembre 2019

Submitted on 30 October 2019
Soumis le 30 octobre 2019

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: SOMERSET (14)

File Number: ACS2019-PIE-PS-0123

SUBJECT: Zoning By-law Amendment – 70 Gloucester Street and 89 and 91
Nepean Street

OBJET: Modification du *Règlement de zonage* – 70, rue Gloucester et 89 et
91, rue Nepean

REPORT RECOMMENDATIONS

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 70 Gloucester Street and 89-91 Nepean Street

to amend Exceptions 1811 and 1834 as detailed in Document 2.

2. That Planning Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* 'Explanation Requirements' at the City Council Meeting of November 27, 2019", subject to submissions received between the publication of this report and the time of Council's decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification du *Règlement de zonage 2008-250* visant le 70, rue Gloucester et les 89 et 91, rue Nepean afin de modifier les exceptions 1811 et 1834, comme le précise le document 2.
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation, en tant que « brève explication », dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes de la *Loi sur l'aménagement du territoire*, à la réunion du Conseil municipal prévue le 27 novembre 2019 », 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.

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

70 Gloucester Street and 89-91 Nepean Street

Owner

Claridge Homes

Applicant

Claridge Homes (confirm)

Description of site and surroundings

The subject lands are comprised of three properties located west of Metcalfe Street between Nepean Street to the south and Gloucester Street to the north. Seventy Gloucester Street is a through lot with 40.30 metres of frontage on the south side of Gloucester Street, 16.40 metres of frontage along the Nepean Street and an area of 0.17 hectares. The properties at 89 and 91 Nepean Street each have 20 metres of frontage along Nepean Street and a site area of 0.06 hectares. The three properties have a combined frontage of 56 metres along Nepean Street. The site is also located within 600 meters of the Parliament LRT station.

Summary of requested Zoning By-law amendment proposal

The property at 70 Gloucester is zoned R5B[1834] and the properties at 89 and 91 Nepean are zoned R5B[1811] H(83). The proposed Zoning By-law amendment will revise certain existing zoning provisions within exceptions (1811 and 1834) that are no longer applicable as the result of a recent severance application that was approved by the Committee of Adjustment on July 12, 2019. There are no proposed amendments to the required parking rates for residential and visitor parking within the project.

Brief history of proposal

The subject property at 70 Gloucester has received zoning and site plan control approvals to permit a 27-storey tower, with an additional 27 storey tower approved for the properties at 89 and 91 Nepean Street. The towers are connected by the ground floor podium and share five levels of below grade parking that is accessed from Gloucester Street. There are no changes proposed to the approved Site Plan Control applications for either tower through this application. A recent consent to sever application was submitted to the Committee of Adjustment and approved to sever the residential towers for administrative purposes.

The 27-storey residential tower is currently under construction at 70 Gloucester Street.

The tower will contain 231 dwelling units, which requires 99 resident parking spaces and 20 visitor parking spaces for a total requirement of 119 spaces. The tower at 89 and 91 Nepean will contain 257 dwelling units and will require 111 resident and 19 visitor parking spaces for a total requirement of 130 spaces. The combined minimum parking requirements that must be accommodated with the buildings is 249 spaces, while 502 spaces are being provided. The applicant had originally requested to have parking garage listed as a permitted use but does not wish to pursue this request at this time, this shall be addressed through a separate future application. Nevertheless, as a result of the recent severance, the side yard changes are still required and will be addressed in this report.

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. Comments during the circulation were received from the Centretown Citizens Community Association. No other comments were received from member of the public.

Official Plan designation

The property is designated as General Urban Area in the Official Plan. The subject site is also designated as Residential - Apartment Neighbourhood in the Centretown Secondary Plan.

Urban Design Review Panel

The application was not subject to consultation with the Urban Design Review Panel.

Planning Rationale

Official Plan

The subject property is designated as General Urban Area in the Official Plan. The General Urban Area designation permits the development of a full range and choice of housing types, in combination with conveniently located employment, retail, service, cultural, leisure, entertainment and institutional uses. This will facilitate the development of complete and sustainable communities. It is noted that while the City is supportive of

the establishment of a broad mix of uses in Ottawa's neighbourhoods, this is not meant to imply that all uses will be permitted everywhere within areas that are designated General Urban Area. The zoning by-law will continue to regulate the location, scale and type of land use in accordance with the provisions of this Plan. The proposed amendments to the existing zoning exceptions will support an approved form of development that is in keeping with the policies of the Official Plan. The Zoning exceptions for the subject property were established to reflect the design of the development as a whole. In that regard, the two buildings were treated as one development on a through lot, from Gloucester Street to Nepean Street and the side yard provisions were applied to the outer boundaries of the overall development, as is typical. With the severance of the properties into two parts and two ownerships, the development will no longer technically be located on a through lot. As such, with the severance, certain side yards as approved are no longer relevant. While the building as constructed has not changed, the proposed side yards of zero metres reflect this severance. Given that the changes proposed to the side yard provisions are to reflect an existing situation and are in relation to ownership of various parts of the development, the department supports the proposed rezoning.

Centretown Secondary Plan

The subject properties are designated as Residential Area – Apartment Neighbourhood on Schedule H1 of the Plan. The predominant land use designation in the Northern Character Area is Apartment Neighbourhood. This designation permits apartment buildings and townhouses as well as public open spaces. The proposed projects are in keeping with the principles of the Centretown Secondary Plan as they accommodate residential growth that advances the objective of achieving a minimum intensification target of 10,000 new residents. As noted, the combined dwelling units between the two projects is 488. As well, the approved project advances the Secondary Plan objective of accommodating a diverse population that contains a variety of housing options for households and incomes. The project at 70 Gloucester Street is a rental project which will add inventory to this form housing in the ward versus condominium tenure.

Provincial Policy Statement

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

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor McKenney is aware of the report.

“I do not support the application to add “parking garage” as a permitted use for this site. This development will replace a surface parking lot, adding much needed housing units downtown. This is a positive use for the site and the addition of “parking garage” as a permitted use will negatively impact the area.

The addition of this use to accommodate public parking will contribute to congestion and gridlock on our downtown streets, which is dangerous for all other road users and creates harmful GHG emissions. As a city, we should be working to decrease private vehicle usage in the core and encourage alternate commuting methods.

I question why this provision was not filed in conjunction with the original Site Plan control applications. Had this addition been included in the initial submission, I would have ensured the parking facilities only met the minimum parking requirements for resident and visitor parking.

I am aware that the request to add “parking garage” as a permitted use has been removed from the Zoning By-law Amendment application, however this request will be addressed in a future application. I do not support adding “parking garage” as a permitted use now or in the future.”

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with the proposed rezoning request.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- C1 – Contribute to improvement of the quality of life.
- GP3 – Make sustainable choices.

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 assess the application and resolve concerns raised.

SUPPORTING DOCUMENTATION

Document 1 Location Plan

Document 2 Details of Recommended Zoning

Document 3 Public Consultation Details

CONCLUSION

It is the Department's position that the proposed rezoning is in keeping with the policy intent of both the Primary Official Plan as well as the new Centretown Community Design Plan and Secondary Plan.

DISPOSITION

Legislative Services, Office of the City Clerk to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; Krista O'Brien, Tax

Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

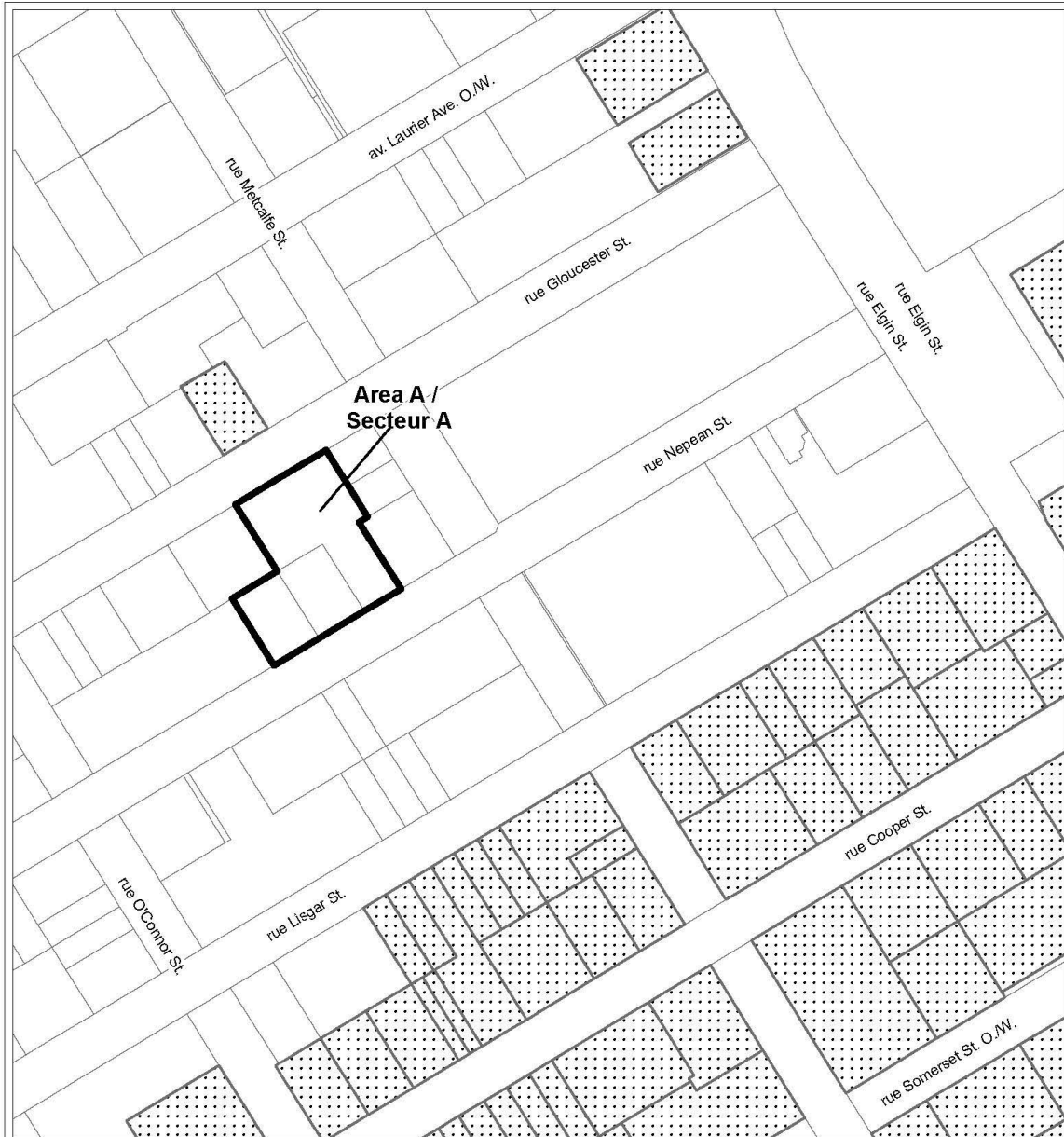
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.



Legal Services, 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	
D02-02-19-0067	19-0679-D		
I:\CO\2019\Zoning\Gloucester_70			
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission THIS IS NOT A PLAN OF SURVEY</small>			
<small>©Les données de parcelles appartient à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE</small>			
REVISION / RÉVISION - 2019 / 06 / 26		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 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 70 Gloucester Street and 89-91 Nepean Street:

- (i) Delete and Replace Exception 1834, Column V with provisions similar in effect to the following:
 - additional permitted uses other than place of assembly limited to a club restricted to the ground floor or basement of a residential use building
 - maximum building height:
 - (i) for the first 23 metres from Gloucester Street: 83 m
 - (ii) for the remainder of the properties known legally as Lots 47 and 48 (South Gloucester Street) Registered Plan 2996: 12m
 - (ii) for the property known legally as Lot 48 (North Nepean Street) Registered Plan 2996: 12m
 - the minimum and maximum front yard setback for an apartment dwelling, mid rise and apartment dwelling, high rise with residential uses on the ground floor abutting Nepean Street: 2 m
 - minimum front yard setback for an apartment dwelling, mid-rise and apartment dwelling, high rise abutting Gloucester Street: 0 m
 - minimum rear yard setback: 0m
 - minimum interior side yard setbacks apply for an apartment dwelling, mid-rise and apartment dwelling, high rise:
 - (i) for the westerly side yard for the first 30.15 metres from Gloucester Street: 1.7 m;
 - (ii) for the easterly side yard for first 30.13 metres from Gloucester Street: 0 m;
 - (iii) for the easterly side yard for the first 30.13 metres from Nepean Street: 3.0 m;
 - minimum number of visitor parking spaces required for an apartment dwelling, mid-rise and apartment dwelling, high rise 0.09 spaces per dwelling unit

- despite anything to the contrary, the lots known legally as Lots 47 and 48 (South Gloucester Street) Registered Plan 2996 are considered a separate lot from the properties known legally as Lots 46 and 47 (South Nepean Street) and Lot 48 (North Nepean Street) Registered Plan 2996
 - despite anything to the contrary, the lots known legally as Lots 47 and 48 (South Gloucester Street) Registered Plan 2996 may locate required and provided parking spaces, driveways and aisles leading to any parking spaces on the lots legally known as Lots 46 and 47 (South Nepean Street) and Lot 48 (North Nepean Street) Registered Plan 2996
- (ii) Delete and Replace Exception 1811, with provisions similar in effect to the following:
- additional permitted uses other than place of assembly limited to a club restricted to the ground floor or basement of a residential use building.
 - minimum and maximum front yard setback for an apartment dwelling, mid-rise and apartment dwelling, high rise with residential uses on the ground floor on that portion of the land legally known as Lot 46 (North Nepean Street) Registered Plan 2996 is 3.0 metres.
 - minimum and maximum front yard setback for an apartment dwelling, mid-rise and apartment dwelling, high rise with residential uses on the ground floor on that portion of the land known as Lot 47 (North Nepean Street) Registered Plan 2996 is 2.0 metres.
 - Minimum side yard setback for an apartment building, mid-rise and apartment dwelling, high rise for the easterly side yard is 0 metres.
 - minimum side yard setback for an apartment dwelling, mid-rise and apartment dwelling, high rise for the westerly side yard is 1.5 metres.
 - minimum rear yard setback for an apartment dwelling, mid-rise and apartment dwelling, high rise is 6.16 metres.
 - minimum number of visitor parking spaces required for apartment dwelling, mid-rise and apartment dwelling, high rise is 0.077 spaces per dwelling unit.
 - minimum required communal amenity area for apartment dwelling, mid-rise and apartment dwelling, high rise is 20% of the required total amenity area.

- despite anything to the contrary, the properties known legally as Lots 46 and 47 (South Nepean Street) and Lot 48 (North Nepean Street) Registered Plan 2996 are considered a separate lot and may share parking located on properties known as Lots 47 and 48 (South Gloucester Street) Registered Plan 2996.

Document 3 – Consultation Details

Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. There was one comment received from the Centretown Community Association. No other comments were received from the public during the circulation period.

Centretown Community Association

Simon Deiacco

City of Ottawa Planning Department

Zoning By-Law Amendment Proposal

File No: D02-02-19-0067

Dear Simon,

I am writing to you with respect to the Claridge re-zoning proposal for 70 Gloucester and 89-91 Nepean. Specifically, this request asks for the addition of a Parking Garage designated use for these two connected sites.

The Centretown Community Association (CCA) is opposed to this proposal as it currently stands for three reasons.

First, this site is only 200 metres from the nearest LRT station. Adding up to 253 additional spaces (502 approved - 249 required) of paid parking so close to the LRT runs contrary to the City's objective to encourage commuters to use public transit.

Second, this will be adding to the overall stock of parking in Centretown which will simply draw more vehicular traffic into the downtown core. Again, this is contrary to existing City transportation policy.

Third, Claridge has offered no explanation as to why this permitted use was not sought during the initial application and approval for this site in 2011.

However, the CCA would be open to agreeing to adding a Parking Garage as a permitted use on the condition that,

- a) the number of commercial parking spaces be capped at an appropriate number and,
- b) the number of visitor parking spaces be substantially increased to take into account the parking needs of caregivers, visiting family and friends and other off-site service providers to residents.

The CCA stands ready to enter into discussions with Claridge to work toward a reasonable agreement to take account of both these objectives.

In the absence of a willingness to work with the CCA toward a better outcome, or in the event of a failure to reach agreement, the CCA will vigorously oppose at Planning Committee the application as it currently stands.

Thank you.

Best regards,

Shawn Barber

President, Centretown Community Association