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| <p>1. ZONING – 99,101,105 AND 107 PARKDALE AVENUE</p> <p>ZONAGE – 99,101,105 ET 107 AVENUE PARKDALE</p> |
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COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 to change the zoning of 99, 101, 105 and 107 Parkdale Avenue from Residential Fifth Density, Subzone B, Maximum building height of 37 metres, R5B H(37), to a new Residential Fifth Density Subzone B, Exception, Schedule YYY Zone with a holding symbol, R5B[xxxx] Syyy-h, as shown in Document 1 and detailed in Documents 2 and 3.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification au Règlement de zonage 2008-250 afin de changer la désignation de zonage des 99, 101, 105 et 107, avenue Parkdale de Zone résidentielle de densité 5, sous-zone B avec une hauteur de bâtiment maximale de 37 mètres, R5B H(37), à Zone résidentielle de densité 5, sous-zone B, assortie d'une exception et de l'annexe YYY, et accompagnée du symbole d'aménagement différé, R5B[xxxx] Syyy-h, tel que le montre le document 1 et comme il est expliqué en détail dans les documents 2 et 3.

DOCUMENTATION / DOCUMENTATION

1. Deputy City Manager's report, Planning and Infrastructure, dated 29 May 2012 (ACS2012-ICS-PGM-0113).
Rapport de la Directrice municipale adjointe, Urbanisme et Infrastructure, le 29 mai 2012 (ACS2012-ICS-PGM-0113).
2. Extract of Draft Minute, 12 June 2012.
Extrait de l'ébauche du procès-verbal, le 12 juin 2012.

Report to/Rapport au :

Planning Committee
Comité de l'urbanisme

and Council / et au Conseil

May 29, 2012
29 mai 2012

Submitted by/Soumis par : **Nancy Schepers, Deputy City Manager/Directrice
municipale adjointe, Planning and Infrastructure/Urbanisme et Infrastructure**

Contact Person / Personne ressource:

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Kitchissippi (15)

Ref N°: ACS2012-PAI-PGM-0113

SUBJECT: ZONING – 99,101,105 AND 107 PARKDALE AVENUE

OBJET : ZONAGE – 99,101,105 ET 107 AVENUE PARKDALE

REPORT RECOMMENDATION

That the Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 to change the zoning of 99, 101, 105 and 107 Parkdale Avenue from Residential Fifth Density, Subzone B, Maximum building height of 37 metres, R5B H(37), to a new Residential Fifth Density Subzone B, Exception, Schedule YYY Zone with a holding symbol, R5B[xxxx] Syyy-h, as shown in Document 1 and detailed in Documents 2 and 3.

RECOMMANDATION DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 afin de changer la désignation de zonage des 99, 101, 105 et 107, avenue Parkdale de Zone résidentielle de densité 5, sous-zone B avec une hauteur de bâtiment maximale de 37 mètres, R5B H(37),

à Zone résidentielle de densité 5, sous-zone B, assortie d'une exception et de l'annexe YYY, et accompagnée du symbole d'aménagement différé, R5B[xxxx] Syyy-h, tel que le montre le document 1 et comme il est expliqué en détail dans les documents 2 et 3.

EXECUTIVE SUMMARY

Assumption and Analysis

The subject property is located on the east side of Parkdale Avenue, between Burnside and Emmerson Avenues, near the intersection of the Ottawa River Parkway, opposite Tunney's Pasture. (See location map attached as Document 1.) The applicant is proposing to construct a high rise apartment building having a height of 84 metres (28 storeys) containing approximately 176 residential units.

The proposed development is located in a Mixed-Use Centre and conforms to the policies of the Official Plan, which identify Mixed-Use Centres as areas of substantial growth. The proposed development also conforms to the City's compatibility and design policies, as it will allow for a development with a design that will integrate into the existing community. The proposed building will become a successful component of the surrounding neighbourhood by being located in the vicinity of other high rise buildings, having common neighbourhood characteristics, such as ground floor pedestrian access, building transition that respects lower density developments, a sun/shadow impact that minimizes impacts on the living area of surrounding buildings and minimal traffic impact.

Financial Implications

Should the zoning amendment be carried and appealed, staff resources will be used to defend Council's position. In the event that the recommendation is not carried and an appeal is brought, an external planner and possibly an external architect will need to be retained at an estimated cost of \$35,000 to \$45,000. Funds are not available within existing resources, and the expense would impact Planning and Growth Management's 2012 operating status.

Public Consultation/Input

Notice of this application was carried out in accordance with the City's Public Notification and Consultation Policy. The City received 73 comments to this application. Sixty-nine people expressed concerns while three wanted more information and one was in favour. The Ward Councillor held a public meeting in the community. Concerns expressed at the meeting were similar to those received through the City's Notification process. Consultation details are contained in Document 4.

RÉSUMÉ

Hypothèse et analyse

La propriété en cause est située du côté est de l'avenue Parkdale, entre les avenues Burnside et Emerson, près de l'intersection de la promenade de l'Outaouais, en face du pré Tunney (Voir la carte de l'immeuble jointe au Document 1). Le demandeur projette de construire un immeuble d'habitation d'une hauteur de 84 mètres (28 étages), qui compterait environ 176 logements résidentiels.

L'aménagement projeté se situe dans un centre d'utilisations polyvalentes et est conforme aux politiques du Plan officiel, qui fait des centres d'utilisations polyvalentes des zones de croissance intensive. L'aménagement projeté est aussi conforme aux politiques de la Ville sur la compatibilité et la conception, car il permettra une conception qui s'intégrera à la communauté existante. Les faits qu'il est situé dans le voisinage d'autres immeubles de grande hauteur et que l'immeuble projeté comportera des caractéristiques communes à celles du quartier environnant (accès piétonnier au rez-de-chaussée, une transition respectueuse des aménagements de plus faible densité, un impact « soleil-ombre » minimal sur les zones habitables des immeubles avoisinants et une incidence minimale sur la circulation) font de l'immeuble proposé un élément réussi du voisinage.

Répercussions financières

Si la modification de zonage est adoptée et fait l'objet d'un appel, les ressources en personnel seront utilisées afin de défendre la position du Conseil. Au cas où la recommandation ne serait pas adoptée et qu'un appel serait interjeté, un urbaniste et, possiblement, un architecte externes devraient être retenus pour un coût s'échelonnant, selon les estimations, de 35 000 \$ à 45 000 \$. Les fonds ne sont pas disponibles dans les ressources actuelles et la dépense affecterait les dépenses de fonctionnement de 2012 du Service de l'urbanisme et de la gestion de la croissance.

Consultation publique

La population a été avisée de cette demande conformément à la politique de la Ville sur les consultations et les avis publics. La Ville a reçu 73 commentaires au sujet de la demande. Soixante et une personnes ont exprimé des préoccupations, trois voulaient obtenir davantage de renseignements et une personne s'est déclarée favorable au projet. La conseillère du quartier a tenu une réunion publique dans la communauté. Les préoccupations qui y ont été exprimées étaient semblables à celles qui ont été formulées au cours du processus de notification mené par la Ville.

BACKGROUND

The subject property is located on the east side of Parkdale Avenue, between Burnside and Emmerson Avenues, near the intersection with the Ottawa River Parkway and opposite Colombine Driveway in Tunney's Pasture. The properties adjacent to the north and east are occupied by high-rise apartment buildings. To the south are low rise walk-up apartments while to the west is the Tunney's Pasture government complex. Further to the north is the Ottawa River Parkway and Ottawa River; while further to the south are more high-rise apartment buildings and the Mechanicsville neighbourhood.

The subject property, which is approximately 1392 square metres in area, is currently occupied by three, one and a half to two storey single detached dwellings. The applicant is proposing to demolish the existing buildings and construct a new high-rise apartment building 84 metres (28 storeys) high with approximately 176 units. One hundred and seventy of these are to be in the form of apartments while six are to be two-storey ground floor oriented townhouse units facing Parkdale Avenue. Vehicular access to the property is to be provided via a lane located along the eastern property line of the site and parking is intended to be provided underground. Approximately 215 parking spaces are proposed. The current Official Plan designation on the property is Mixed-Use Centre while the current zoning is R5B H(37). The existing zoning will allow a high-rise apartment building that is 37 metres in height. In addition to a height increase, the applicant is also requesting changes to performance standards relating to front, rear and side yard setbacks.

DISCUSSION

Official Plan

Mixed-Use Centres

The Official Plan designates the subject property as Mixed-Use Centre and forms part of the larger Mixed-Use Centre containing Tunney's Pasture. Lands having this designation are situated at strategic locations and act as focal points of activity, not only for their local community but for the city at large. They are a critical element to the City's growth strategy. Mixed-Use Centres are limited in number and represent opportunities for substantial growth. The density of development within Mixed-Use Centres is to take advantage of the opportunities offered by transit and ease of access on foot and by bicycle. The Official Plan establishes minimum density targets within Mixed-Use Centres, in order to help ensure that they develop at densities envisioned by the Official Plan. The proposed rezoning is in keeping with the intent of these policies as it provides for a high-rise, high-density residential development at a location where it is anticipated to occur.

The Mixed-Use Centre policies also indicate that when apartments are constructed, it is to be done at a medium or high density and the density of the development that is provided is to be at least that of the minimum density target established for the Mixed-

Use Centre. There is no maximum density target. In this instance, the Minimum Density Target for Tunney's Pasture is 250 people and jobs per hectare. As such, given that the proposed development occupies an area of approximately 1392 square metres, it would be required to provide a minimum of 29 people and jobs per hectare. As the proposed development will contain approximately 176 units with a density of 2048 jobs and people per hectare, it easily meets the minimum density requirements of the Official Plan.

The Official Plan indicates that high density development should be located within 400 metres of a rapid transit station or along an arterial roadway with all day transit. While the subject property is located more than 400 metres away from the Tunney's Pasture transit station, Parkdale Avenue is an Arterial Road that has all day transit, which can serve the subject proposal. OC Transpo route 159 links Parkdale Avenue to Tunney's Pasture Station with 10-minute frequencies during peak hours.

In addition to the policies referenced above, the Official Plan also indicates that an application for development will be evaluated with reference to the Design Objectives and Principles in Section 2.5.1. and the compatibility policies contained in Section 4.11.

Section 2.5.1.

The Official Plan acknowledges that introducing new development in existing areas that have developed over a long period of time requires a sensitive approach and a respect for a community's established characteristics. Urban design is an important component of that sensitive approach and is concerned with how buildings, landscapes and adjacent public spaces look and function together. Good urban design and quality architecture can create lively community places with distinctive character and meaningful connections between the existing surroundings.

The Official Plan provides guidance on measures that will mitigate the impact of new development by helping to achieve compatibility of form and function. Allowing for flexibility and variation that complements the character of existing communities is central to successful intensification.

In general terms, compatible development means development that, although it is not necessarily the same as or even similar to existing buildings in the vicinity, nonetheless enhances an established community and coexists with existing development without causing undue adverse impact on surrounding properties. It 'fits well' within its physical context and 'works well' among those functions that surround it. Generally speaking, the more a new development can incorporate the common characteristics of its setting in its design, the more compatible it will be. Nevertheless, a development can be designed to fit and work well in a certain existing context without being "the same as" the surrounding development. Pictures of the proposed development can be seen in Document 5 of this submission.

Design Objectives and Principles

Section 2.5.1. contains seven design objectives relating to how built environment should be addressed as the City matures and evolves. These Design Objectives are broadly stated and are to be applied within all land use designations from the broad citywide perspective down through the neighbourhood, street, site and finally at the building perspective. The proposed development has been evaluated in relation to this section of the Official Plan, and the design objectives that are relevant to the applicant's proposal, as well as how they are being satisfied, are presented below.

The first design objective is to enhance the sense of community by creating and maintaining places with their own distinct identity. To fulfill this objective, design should:

- Support the overall image of Ottawa as the Nation's capital.
- Recognize and reflect on the history of the city or community.
- Promote quality consistent with a major metropolis, and a prime business and tourist destination.
- Create distinctive places and appreciate local identity in patterns of development, landscape and culture.
- Reflect a thorough and sensitive understanding of place, context and setting.

The proposed development will meet these design objectives by incorporating a quality of architecture that will enhance and improve upon the image of the City as well as promote Ottawa as a major metropolis. The placement of high-rise apartment buildings on the property is reflective of an existing characteristic, in that other high rise apartments are located to the north, east and further to the south of the subject property. There are also high-rise buildings in Tunney's Pasture. When viewing the subject property from the perspective of the larger area, the existing high-rise built form and the new building's architecture allows the proposed building to integrate with the existing neighbourhood character, as opposed to looking out of place. For instance, when viewed from a distance, this building will be an additional tall element within a cluster of tall buildings that are located at the Tunney's Pasture node and at Tunney's Pasture transit station (to be a Light Rail Transit Station by 2018), which also marks the rapid transit access to the vibrant West Wellington/Parkdale Market neighbourhood. In terms of City image, the addition of a tall building at this location serves to punctuate and mark at a distance, an area that the Official Plan identifies as evolving into a "good urban place in its own right" and having "significant growth potential".

The transfer of building mass from the southern portion to the northern portion of the property, above the two storey podium, creates a setback of between approximately 10.6 and 9.8 metres to the property line. This provides an open area for light penetration and air circulation and helps mitigate the impact of the proposed development on the existing adjacent lower density development to the south.

As well, with the increase in height requested, the design of the building as a slender tower is such that the sun/shadows cast have a minimum impact on the surrounding properties. While there is a shadow impact on the adjacent property to the north, a similar impact would occur if the property were to develop under the current zoning. However, with the slimmer floor plate proposed, the shadows move more quickly across that building. As well, with the positioning of the tower on the northern portion of the subject property, the impacts of sun shadows on the building immediately to the east are minimized because the shadows will have their largest effect on the parking garage and not the living area of that building.

The second design objective relates to defining quality public and private spaces through development. To fulfill this objective, design should:

- Clearly define and connect public and private spaces by:
 - Defining and enclosing spaces using buildings, structures and landscaping.
 - Recognizing every building as being part of a greater whole that contributes to the overall coherency of the urban fabric.
- Enhance and enliven the quality, character and spatial delineation of public spaces.
- Encourage a continuity of street frontages.
- Address the relationship between buildings and between buildings and the street.
- Meet the needs of pedestrians as a priority.

The yard facing Parkdale Avenue will be landscaped with street trees, in a way that is similar to the existing character of the street. As well, the base of the building has been designed as a two-storey podium that will accommodate approximately six integrated houses, which will have direct pedestrian access to Parkdale Avenue. This is being done to reflect not only the characteristics of the lower density development that exists in the neighbourhood but also to help create a greater whole that contributes to the urban fabric and represents a pedestrian-friendly environment at the ground level, continuity through a connected and continuous street frontage and linkages to the street. The use of the rear lane for parking access removes all curb cuts from Parkdale Avenue and thereby improves the pedestrian realm.

A third design objective to consider when evaluating a rezoning proposal is the ability of the proposal to create places that are safe, accessible, easy to get to and easy to move through. In this regard, design should:

- Connect buildings and spaces through a network of roads, sidewalks, and pathways in ways that are understandable. These connections should be accessible to all users and incorporate the principles of universal access and where connections lead into a building, the building and its facilities should be designed so that it can be approached, entered, and used by persons with physical or sensory disabilities.

- Create places and spaces that are visible and safe and can be confidently used at all hours of the day and at night where it is appropriate to do so.

The pathways leading from the townhouses and the main entrance on the subject property, to the sidewalk along Parkdale Avenue, help connect the proposed development to the public realm in a positive and safe way. As well, with the proposed townhouses placing “eyes on the street” the safety of pedestrians will be increased.

The fourth design objective provides that development should:

- Be integrated to complement and enliven the surroundings.
- Allow the built form to evolve through architectural style and innovation.
- Complement the massing patterns, rhythm, character, and context.

The landscaping, open space, resulting light penetration and air circulation associated with the transfer of massing to create a point tower, instead of a wider and shorter development, will complement and lighten the surroundings. It will provide for an architectural and landscaped architectural style that shows innovation that will complement the rhythm, character and context of the surrounding area. Residential units with direct ground access to the sidewalk maintain the fine-grained rhythm of housing and as mentioned above, improve safety.

The fifth consideration of design in allowing taller buildings is to provide for adaptability and diversity, by creating places that can adapt and evolve easily over time and that are characterized by variety and choice. In this regard, design should:

- Achieve a more compact urban form over time.
- Allow for varying stages of maturity in different areas of the city, and recognize that buildings and site development will exhibit different characteristics as they evolve over time.
- Accommodate the needs of a range of people of different incomes and lifestyles at various stages in the life cycle.

The proposal to construct a point tower is a relevant example of compact urban form for this site, given its area. With the landscaping, open space, building setbacks and architectural characteristics provided, the proposed development can be better integrated into the surrounding community than a larger lower bulkier building as is currently permitted by the zoning. As well, the units provided will help fulfill the goal of providing accommodation to meet the needs of people of different incomes and lifestyles at various stages in life.

The sixth design objective relates to understanding and respecting natural processes and features, and to promote environmental sustainability in development. To accomplish this, design should:

- Protect, integrate and enhance the urban forest, vegetative cover, green spaces and corridors, environmental features and landscapes, and existing topography, where possible and appropriate.
- Incorporate a means of retaining stormwater on site.

The proposed development will increase the number of trees along Parkdale Avenue, which is similar to other existing properties along the street and through the Site Plan Control process; stormwater will be retained and managed on site.

The final consideration in design relates to maximizing energy efficiency and promoting sustainable design to reduce resource consumption, energy use and carbon footprint of the built environment. As such, design should;

- Orient development to maximize opportunities for passive solar gain, natural ventilation and use energy efficient development forms and building measures.
- Maximize opportunities for sustainable transportation modes (walking, cycling, transit facilities and connections).
- Reduce hard surfaces and maximize landscaping and site permeability.
- Consider the use of innovative green spaces such as green roofs and measures that will reduce the urban heat island effect.

The orientation of the building in an east/west direction will help increase the opportunity for solar gain and natural ventilation. Proximity to transit and sidewalks along Parkdale Avenue, as well as cycling paths along the open space to the north, help maximize opportunities for sustainable transportation modes. The top of the podium will be landscaped to help reduce the effect of the Urban Heat Island.

Based on the foregoing, the proposed building satisfies the design criteria contained in the Official Plan and as such, the proposed building will contribute to a positive urban design experience and can be positively integrated into the surrounding neighbourhood.

In addition to the design policies contained in the Official Plan, the proposed rezoning must also be evaluated in relation to the compatibility policies in Chapter Four, namely Section 4.11. While certain policies, such as loading, lighting and the location of vehicular access are issues for Site Plan Control, there are other specific policies in this section that give direction to evaluating rezoning proposals and in particular, they are the policies relating to traffic, sunlight and microclimate.

In addition to the policies mentioned above, Section 4.11 also states that buildings, structures and landscaping will be used to clearly define public spaces such as streets and parks. Within intensification target areas, including where the subject property is located, development will be in the form of continuous building frontages that frame the street edge and support a more pedestrian friendly environment. With the building to be located at and across the entire westerly property line and with the provision of urban landscaping along Parkdale Avenue, the public right of way, as well as the private area

of the townhouses, will be delineated and the development will result in a strong continuous street edge with a pedestrian-supportive interface between the public and private realms. This is similar to the built form and landscaping provided for other properties along Parkdale Avenue and supports the notion of integrating new development into the existing building fabric.

Section 4.11 indicates that high-rise buildings may be considered on lands that are designated as Mixed-Use Centre. In doing so, it will be considered both an example of architecture on its own right but also as an element of urban design within a wider context. In this regard, the Official Plan provides that a high-rise building is to be evaluated on how the scale, massing, and height of the proposed development relate to adjoining buildings, as well as the existing and planned context of the surrounding area. As stated, the applicant is proposing a slimmer tower, which, in relation to the lower density development to the south, provides a separation distance above the second floor of approximately 10 metres. As the building is proposed to be 28 storeys high, the uniqueness of the site allows sun/shadow impacts to be minimized and there are other high-rise buildings in the surrounding and wider area, including buildings of similar size in Tunney's Pasture. Located within a Mixed-Use Centre, high density development is anticipated on the site, in accordance with the long range intensification goals of the City.

Other considerations are how the proposed development enhances existing or creates views, vistas and landmarks, as well as how the top of the building affects the skyline. While tall, with a slender floor plate and a penthouse/top that complements the architecture, rather than pronouncing a difference, the proposed building attempts to fit in with the existing character, rather than stand out. For example, when travelling along the Ottawa River Parkway, the building, while handsome, is not outwardly distinguishable by its height or architectural design, is only visible at certain points and the views are often associated with existing towers in Tunney's Pasture. The ability of the proposed building to integrate with the existing character of the surrounding area is a direct result of an architectural design that is not overpowering and to accomplish this, it takes into consideration the character of existing buildings through the use of such things as setbacks, building materials, balconies and at the ground level, a podium with a lower density development form through the use of townhouses with extensive landscaping and entrances with views to the street, to help create a well defined public and private realm. Given these characteristics, it is anticipated that the proposed building will become an integrated component of existing views and vistas, rather than creating one of its own.

Traffic Issues

A Community Transportation Study was undertaken by the applicant and reviewed by staff. As a result of the proposed development, during the AM peak, there are anticipated to be eight vehicles entering the site and 38 vehicles exiting the site, for a total of 46. During the PM peak, the number of vehicles entering the site is expected to

be 35 while the vehicles leaving are 17, for a total of 52. These volumes can be accommodated by the lane at the rear of the subject property, which is to be the route used for vehicular access and egress.

The traffic study's findings indicated that while left turns at the intersections of Scott Street and Parkdale Avenue and Columbine Driveway and Parkdale Avenue are currently operating at a failing level during the PM peak, the resulting impact from the proposed development on these movements will be marginal. As well, the impact of the proposed development on the intersection of Burnside and Parkdale Avenues and Emmerson and Parkdale Avenues is not expected to be significant. As a result, the proposed development does not result in any required roadway modifications to improve the circulation of traffic in the surrounding area.

It is understood by the Department that traffic is a concern to the surrounding neighbourhood but also that this concern is not something new. It exists as a result of current built conditions. What is important to note is that the proposed development will not add a significant amount of traffic to the surrounding intersections. During both the AM and PM peak, this represents an increased volume of less than one vehicle per minute and as a result, will not result in a significant change to the existing traffic situation.

High-rise infill guidelines

To help ensure that high-rise buildings are integrated into the surrounding urban fabric in a compatible manner, the City has prepared a set of guidelines for this type of housing. There are 68 separate guidelines separated into different categories, such as context, built form, pedestrians and the public realm, open space and amenities, environmental considerations, site circulation and parking, as well as services and utilities. While some of these are more appropriate for consideration through the Site Plan Control process, all of these are presented so as to allow high-rise buildings to be successfully integrated into the surrounding community.

With regard to the applicant's rezoning, the high-rise building will contain a compact floor plate, which will maximize views, light penetration, solar exposure, air circulation and ventilation. The smaller floor plate and resulting tower minimizes shadowing on adjacent properties. At the ground level there is ample space for safe and accessible pedestrian activity. The majority of the parking is to be provided below grade to maximize landscaping and open space. Architectural variety, including townhouses on the ground floor and a proposed increased setback above the second floor to the building to the south, will help maintain a human scale. If approved, the rezoning will allow for a development that follows the Guidelines established by the City for high-rise developments.

Details of Proposed Zoning

In addition to requesting an increase in height from 37 to 84 metres, the applicant is also requesting amendments to required yard setbacks. These are shown in Document 2 and are as follows:

- i. Minimum front yard setback to be reduced from 3.0 metres to 0.0 metres
- ii. Minimum interior side yard setback to be reduced from 1.5 metres for the first 21 metres from the front lot line and 6.0 metres for the distance past 21 metres, to 0.0 metres for the area occupied by a bay window and 1.0 for the remainder of the side yard.
- iii. Minimum rear yard setback to be reduced from 7.5 metres to 3.0 metres.
- iv. To allow an amenity room to be included in the permitted projection above the height limit.

The Department can support the proposed reduction in the front yard setback as this is a characteristic of other development on the street, is a result of the proposed road widening and helps define a desirable urban street edge.

Regarding the requested reduction in both the north and south side yards to accommodate a zero metre setback; this applies to a bay window on the second floor of the townhouse units. Other than for the bay window, the side lot line setbacks will be approximately 1.0 metres the entire length of the property. This is representative of a typical side yard distance associated with townhouse type developments. It should be noted that along the north side of the building, this side yard is opposite a one storey parking garage. As well, the living space of the adjacent apartment building is set back approximately a further seven metres and there are no windows directly facing the proposed building. Along the southerly side yard, the setback increases to between approximately 8.4 and 9.4 metres above the second floor, which is more than the 6.0 metres required by the Zoning By-law.

Although the applicant is requesting to reduce the minimum rear yard to three metres, the proposed reduction is offset by the City lane along the eastern edge of the property. The lane is approximately 6.0 metres in width and this distance, when added to the proposed rear yard setback of three metres, is approximately nine metres. This is a metre and a half more than the required setback of 7.5 metres. As well, the structure on the opposite side of the lane, across from the proposed building, is a concrete parking garage structure. As a result the impact of the proposed rear yard reduction is expected to be minimal.

With respect to the amenity area, the applicant is proposing to include an amenity room on the roof of the proposed building. This room will be adjacent to the mechanical room, which is already permitted as a projection above the height and will be lower than the mechanical room. Given that the amenity room will not add to the overall height of the building and will be setback from all sides of the building, the Department can

support the inclusion of this area as a permitted projection above the height. The Department is recommending that this amenity area will be limited in size through the amending zoning by-law.

As well, to help ensure that the building is constructed as proposed, the Department is also recommending that a height and yards schedule pertain to the subject property and that a holding zone be placed on the property. This holding zone will also help ensure that a community benefit is provided at the time of Site Plan Control Approval. The holding symbol will be removed when site plan control approval is obtained.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

Notice of this application was carried out in accordance with the City's Public Notification and Consultation Policy. The City received 73 comments to this application. Sixty-nine people expressed concerns while three wanted more information and one was in favour. The Ward Councillor held a public meeting in the community. Consultation details are contained in Document 4.

COMMENTS BY THE WARD COUNCILLOR

Councillor Hobbs is aware of the application.

LEGAL IMPLICATIONS

Given the controversial nature of this report, there is a possibility that the zoning amendment may be appealed to the Ontario Municipal Board. It is anticipated that a hearing on this matter would take two days and can utilize internal staff resources. If the zoning amendment is not carried and the matter is appealed, the same time limit would apply, but an external planner and possibly an external architect would need to be retained. The estimated cost would be \$35,000-\$45,000.

RISK MANAGEMENT IMPLICATIONS

There are no Risk Management implications associated with this report.

FINANCIAL IMPLICATIONS

Should the zoning amendment be carried and appealed, staff resources will be used to defend Council's position. In the event that the recommendation is not carried and an appeal is brought, an external planner and possibly an external architect will need to be retained at an estimated cost of \$35,000 to \$45,000. Funds are not available within existing resources, and the expense would impact Planning and Growth Management's 2012 operating status.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this proposed rezoning. Access issues will be addressed as part of the Site Plan application.

ENVIRONMENTAL IMPLICATIONS

There are no environment implications associated with this report.

TECHNOLOGY IMPLICATIONS

There are no technology implications associated with this report.

TERM OF COUNCIL PRIORITIES

GP3 – Making 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 need to resolve urban design issues and negotiate public benefits as per Section 37 of the *Planning Act*.

SUPPORTING DOCUMENTATIONS

- Document 1 Location Map
- Document 2 Heights and Yards Schedule
- Document 3 Details of Recommended Zoning
- Document 4 Consultation Details
- Document 5 Proposed Development

DISPOSITION

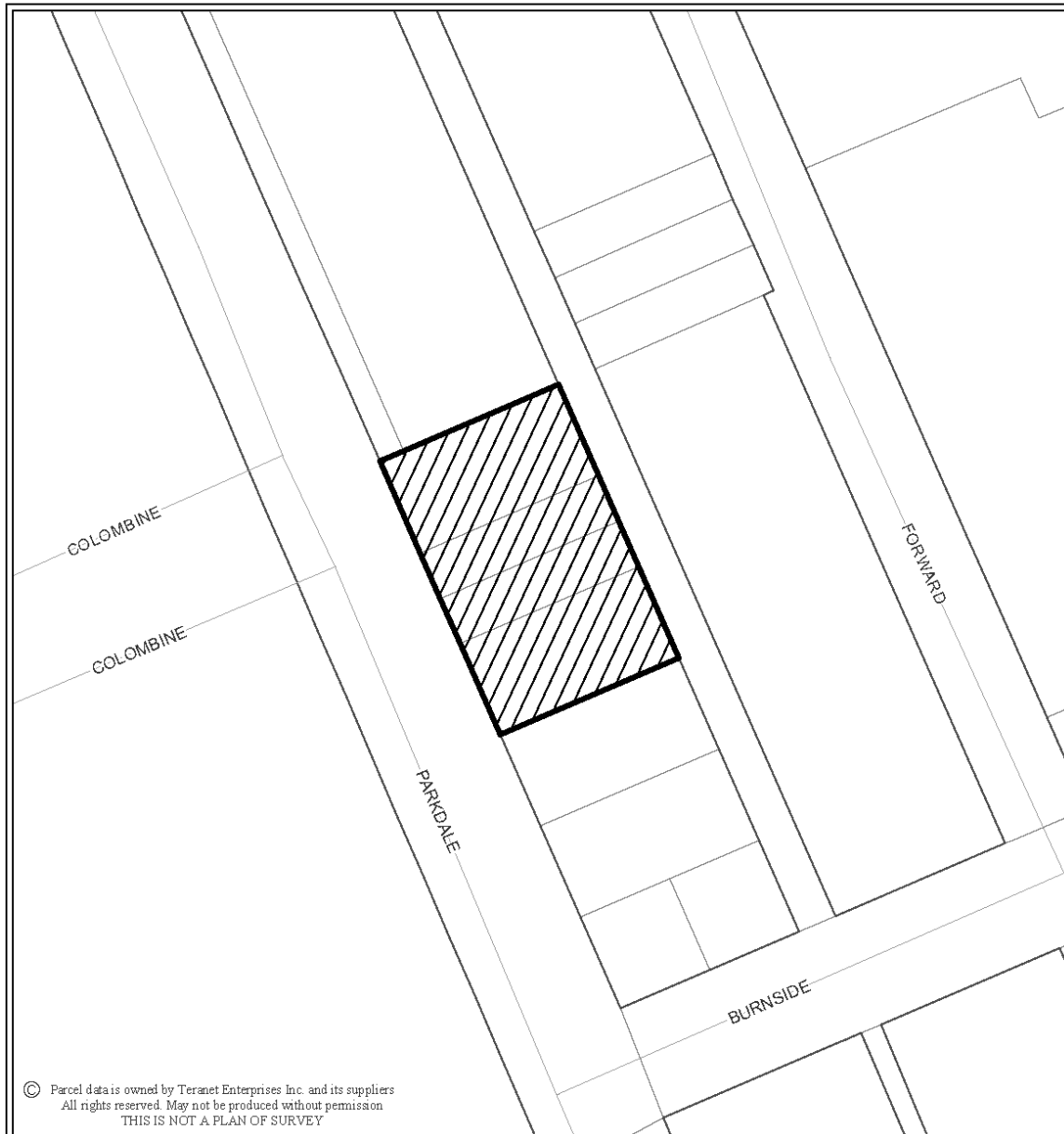
City Clerk and Solicitor Department, Legislative Services to notify the owner, applicant, Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5, Ghislain Lamarche, Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76) of City Council's decision.

Planning and Growth Management to prepare the implementing by-law, forward to Legal Services and undertake the statutory notification.

Legal Services to forward the implementing by-law to City Council.

LOCATION MAP

DOCUMENT 1



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 et Viabilité des collectivités

D02-02-11-0108	11-1588-X
I:\CO\2011\ZONING\PARKDALE_99_107	
2011 / 11 / 22	
REVISION DATE	DE RÉVISION

 **Location Map / Plan de révision**
Zoning Key Plan / Schéma de zonage
99-107 Parkdale Avenue

400970014 Denotes Teranet-Polaris Parcel Identification Number

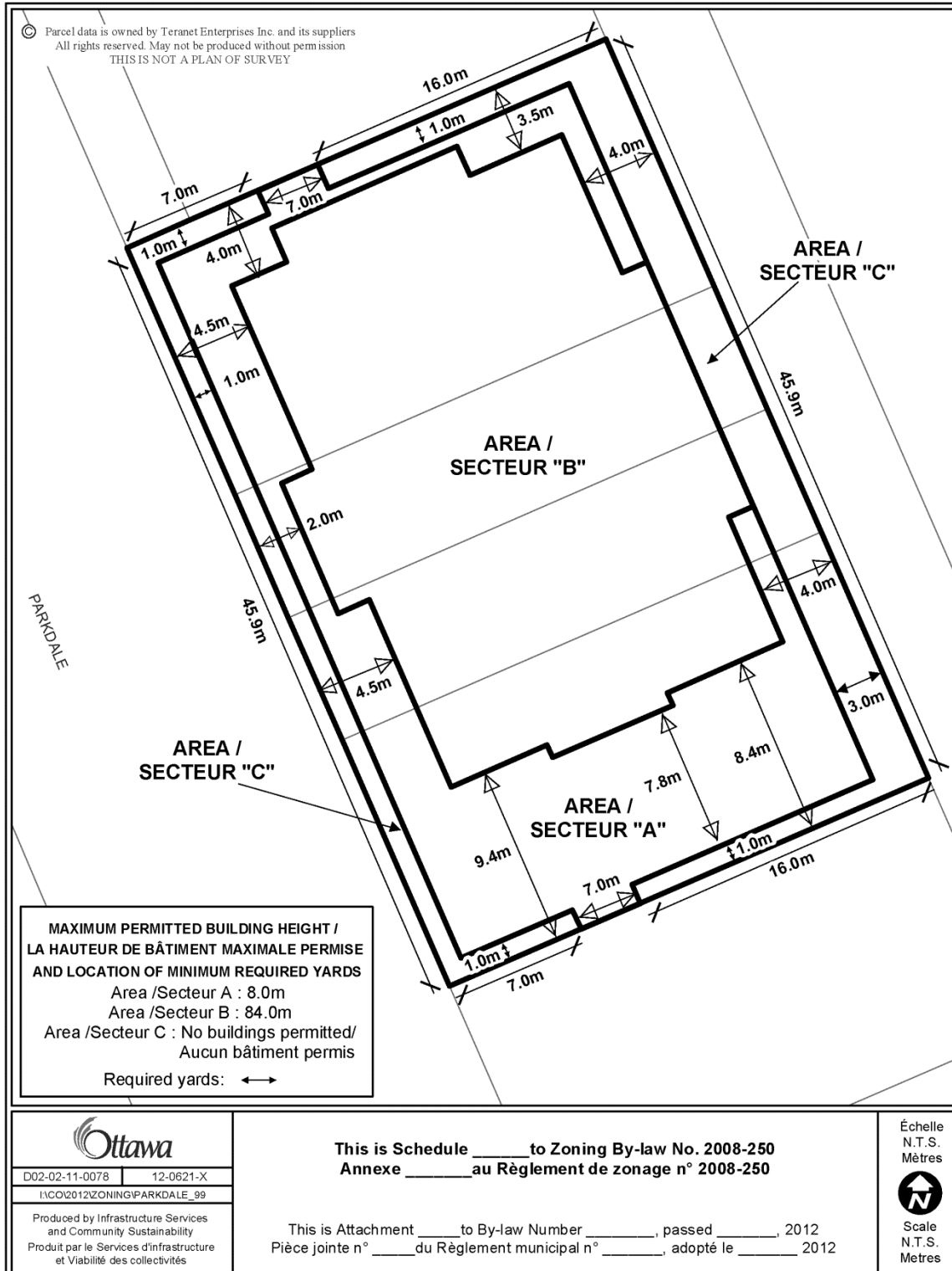
Échelle
 N.T.S.
 Mètres



Scale
 N.T.S.
 Metres

HEIGHT AND YARDS SCHEDULE

DOCUMENT 2



DETAILS OF RECOMMENDED ZONING

DOCUMENT 3

Proposed Changes to the Comprehensive Zoning By-law

1. The subject property as shown on Document 1 to be rezoned from R5B H(37) to R5B[xxxx] Syyy-h
2. A new exception to be added to Section 2389 – Urban Exceptions, including provisions similar in effect to the following:
 - i Yards and building height are in accordance with Document 2.
 - ii An amenity room with a maximum height of 5.0 metres will not be included in the allowable building height.
 - iii The maximum roof top amenity area is 557 square metres.
 - iv Despite Section 65, balconies, landings, stairs and exhaust grates may project into Area C.
 - v The holding symbol may only be removed when the complementary Site Plan Control Application is approved.

CONSULTATION DETAILS

DOCUMENT 4

NOTIFICATION AND CONSULTATION PROCESS

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. Seventy-three comments were received as a result of the notification process. Sixty-nine of the respondents had concerns while three wanted more information on the proposal and one was in favour. A community public meeting was also held on November 24, 2011. A summary of the public comments and a response to them are provided below.

PUBLIC COMMENTS

Concerns Relating to the Proposed Development

1. The proposed development is too tall and does not respect the existing neighbourhood character.

Response

As presented in the rationale of this report, the proposed development satisfies the policies for intensification in relation to Mixed-Use Centres and compatibility. As well, in relation to the surrounding land uses, the proposed height is compatible with existing structures and the surrounding landscape.

2. The proposal does not respect the existing Zoning By-law parameters and treats them as if they were only a suggestion.

Response

Under the *Planning Act*, everyone has the right to apply for a zoning amendment. A request for a rezoning will be evaluated with respect to all relevant Official Plan policies and City Guidelines. If the proposed request is found to be in compliance with the policies and guidelines, then the Department will recommend approval to City Council.

3. Why not a shorter building, such as 14 storeys?

Response

It is up to the applicant to decide what proposal they want to have evaluated by the City. They have requested a rezoning for the development proposed, as they believe it is appropriate for the site.

4. The traffic study is seriously flawed; the traffic from this proposal will only worsen an already bad situation.

Response

The community traffic study prepared for the proposed development was completed in accordance with the Institute of Transportation Engineers (ITE) Trip Generation Manual (7th edition) and verified by City staff. It is an accurate representation of the traffic that will be

generated from the proposed development. The study has concluded that the traffic impact on the surrounding community will be minimal.

5. When the Official Plan talks about the density requirement for the area, does it include Tunney's Pasture?

Response

Yes, the density requirements would include the entire Mixed-use Centre.

6. I think that access to the proposed development should be provided from Parkdale Avenue, the lane is not meant to handle the proposed volumes of traffic. It's only a one way lane as well.

Response

The lane currently functions as a two-way lane. As per the traffic study, this is recommended to continue. The Department does not support vehicular access from Parkdale Avenue as the lane can accommodate the expected peak traffic and the introduction of a garage door along Parkdale Avenue would be disruptive to the streetscape.

7. The way the City is handling development has led to mistrust in the community.

Response

The process is open and transparent for each development application that is submitted to the City and each application is evaluated on its own merits against relevant policies and guidelines, with appropriate recommendations being made to City Council.

8. A proposed 28 storey building will adversely affect the well being of the surrounding properties.

Response

As presented in this report, staff are satisfied that the proposed development will complement the surrounding land uses.

9. Moving vans and trucks cannot use the back alley, it's too narrow.

Response

It is the Department's position that the existing lane at the rear of the property can accommodate moving vans and trucks.

10. I am concerned that any blasting will damage my home and property.

Response

The prospect of blasting will be addressed through the Site Plan Control process. If blasting is to occur, the applicant will be required to complete a pre and post blasting report to see if their blasting caused any negative effects on the surrounding properties.

11. This proposal will create a precedent for other high-rise proposals.

Response

Each zoning application is evaluated on its own merits. While other rezoning applications for an increase in height may be filed with the City, approval of this application does not mean that they will be successful.

12. Urbandale lies to us and the proposal will place pedestrian lives in peril.

Response

The proposed development is not expected to place pedestrian lives in peril and with landscaping in the front yard of the property, will result in an enhanced pedestrian experience on Parkdale Avenue.

13. Why are the concerns of residents continually ignored?

Response

The concerns of residents are not ignored but are duly considered and reviewed with respect to relevant Official Plan policies and Council approved Guidelines.

14. The proposed taller building will block out the sun of more people than a shorter building.

Response

The sun/shadow impact study prepared by the applicant shows that the impact of the shadows created by the proposed development will be minimal. This is a result of the slimmer floor plate, which, while creating longer shadows creates narrower shadows that move quicker across the surrounding properties. As well, the location of the proposed building causes the largest shadow impact to be on a parking garage of the building to the east and not the living space.

15. The traffic study does not give realistic volumes that would result from the proposed development.

Response

The traffic volumes provided by the Community Traffic Study are in accordance with the Institute of Transportation Engineers Trip Generation Manual (7th Edition), have been reviewed by the City and represent the anticipated volumes for the proposed development.

16. Changes to the volume of people using the lane will result in a significant increase in noise.

Response

While more vehicles are using the lane, vehicles will be travelling at slower speeds and noise is not expected to be a concern.

17. Will there be enough space for construction.

Response

Access to the property by construction vehicles will be addressed as part of the building permit process. However, it is likely that this will occur from Parkdale Avenue.

18. The proposed development will mean a loss of privacy.

Response

A high-rise apartment building is already allowed by the current zoning. It is the Department's position that the proposal will not result in a loss of privacy.

19. The proposed building does not conform to the policies in the Official Plan.

Response

As presented in this report, the proposed development conforms to the relevant policies in the Official Plan.

November 24, 2011 - PUBLIC MEETING COMMENTS

The comments expressed at the public meeting were the same as those expressed during the public notification process.

FORMAL URBAN DESIGN REVIEW PANEL COMMENTS

The Panel commends the applicant on a masterfully handled development. The Panel appreciates the detailed thought the applicant has given to the building design and the urban design context. The applicant has responded to the Panel's recommendations from the pre-consultation and improved the scheme. Key improvements include:

- o increasing the setbacks provided;
- o improving the streetscape, urban edge and the townhouse condition; and
- o increasing the floor to floor height and total height of the podium.

The Panel commends the landscape architect on the project. There is a considered approach to the pedestrian experience which should be applauded.

The Panel appreciates the provision of urban design views of the site from a distance, which helps provide perspective on the impact on the cityscape.

This project will be important for City staff to determine how this development will fit into the emerging context in this area. This site is fortunate in that the location and nature of the developments immediately to the east and north, as a combination of other high rise and Parkade structures, reduce the shadow and other impacts of this high-rise proposal compared to other sites in the area. The applicant has provided a solution very specific to its location by utilizing this opportunity. This development should not be viewed as a precedent for other locations along Parkdale, which have different contexts and lower, established surroundings.

The balcony resolution is well-handled. The balconies are generous in proportion and are useable. The Panel strongly encourages the applicant to follow through with actually developing the balconies on the building the way they are expressed through these illustrations.

The total amount of glass area used should be re-examined. As Ottawa resides in a northern climate, with cold winters, the applicant should do more to mitigate the heat loss effect of this materiality. The applicant should do so without changing the proportions.

This is a very handsome building. The Panel understands that the colour scheme is not finished; however, if there is opportunity to introduce colour into the building, the Panel encourages this.

There is some flexibility in this development to provide different forms of lighting or subtle signage. The Panel encourages the applicant to find creative ways to provide illumination at night.

The lines and depth of the projecting canopies over the penthouse at the top of the building appear somewhat heavy. Reducing the projecting canopies scale would make them less prominent would help to emphasize the verticality of the façade composition.

For future projects that the applicants bring to the Panel, the Panel would appreciate 1:50 scaled elevations of important elements of the building.

PROPOSED BUILDING

DOCUMENT 5



99 PARKDALE

DRP PHASE II

SCALE: NTS
FEBRUARY 14TH, 2012



Urbandale
CONSTRUCTION

ZONING - 99, 101, 105 AND 107 PARKDALE AVENUE

ACS2012-PAI-PGM-0113

KITCHISSIPPI (15)

REPORT RECOMMENDATION:

That the Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 to change the zoning of 99, 101, 105 and 107 Parkdale Avenue from Residential Fifth Density, Subzone B, Maximum building height of 37 metres, R5B H(37), to a new Residential Fifth Density Subzone B, Exception, Schedule YYY Zone with a holding symbol, R5B[xxxx] Syyy-h, as shown in Document 1 and detailed in Documents 2 and 3.

The following delegations spoke in *opposition* to the report recommendation, not as much to the issues of increased *density and intensification*, as to the proposed *height and scale* of the building, in comparison to the existing built form of the surrounding Mechanicsville neighbourhood:

- Mr. Michael Andrecheck*;
- Mr. Jack Threader*;
- Ms. Christine Burke*;
- Ms. Margaret Bell*;
- Mr. Reginald Boyles*;
- Mrs. Constance Brook;
- Ms. Nicole Andrecheck*; and
- Ms. Paula Tissot*.

The following delegations spoke in *support* of the report recommendation, mainly to the issue of the proposed building's built form as an example of good planning, as the current zoning allowed for a design that could fill the entire lot, diminish visibility and enhance shadows for the surrounding neighbourhood:

- Ms. Mary Jarvis (Urbandale Construction) and Mr. Barry Hobin (Barry Hobin Architects), and;
- Messrs. Lee Jablonski and Tim Chadder, J.L. Richards & Associates Ltd.

Written submissions were received from all those marked above with an asterisk (*), with additional comments provided by:

- Ms. Linda Hoad*, on behalf of the Hintonburg Community Association (in opposition);
- Mr. Michael and Ms. Marlene Carlon* (in opposition), including, *as signatories by request*: Ms. Aline Bethune, Ms. Margaret Simpson, and Ms. Paula De Pauli (all in opposition).

A message was also received by telephone from Ms. Jean Dukacz, another area resident, requesting that the zoning remain unchanged.

*[* All individuals marked with an asterisk either provided their comments in writing or by email; such comments are held on file with the City Clerk.]*

Committee spent approximately two hours on this item, which included hearing from public delegations, receiving information from staff for purposes of clarification, and discussion. Following Committee discussion, the Chair pointed out that zoning was a tool that was used to implement the City's Official Plan, which allowed for intensification in the City's mixed-use centres, and that Community Design Plans (CDP's), were not a means to achieving the end of preserving status quo in zoning matters. He also noted that the proposed design offered a better use of built form than that allowed under the current zoning, and furthermore, respected the designs of neighbouring buildings.

The recommendation was then put to Committee and was CARRIED without amendment.