

1. Official Plan and Zoning By-law Amendment – 10 Oblats Avenue and sites designated Mixed Use Medium-rise in the Old Ottawa East Secondary Plan

Modification au Plan officiel et au Règlement de zonage – 10, avenue Oblats et emplacements dont la désignation est Zone d'utilisations polyvalentes de hauteur moyenne dans le Plan secondaire du Vieil Ottawa-Est

Committee Recommendations

That Council approve:

- a. an Official Plan Amendment to the Old Ottawa East Secondary Plan Policy sections:
 - i. 10.3.4.4.f, as detailed in Document 2 to permit a range of buildings between three and nine storeys in the Mixed-Use Medium-rise designation within Greystone Village.**
 - ii. 10.2.1.4 to remove reference to nine storeys, as detailed in Document 2.****
- b. an amendment to Zoning By-law 2008-250 for 10 Oblats Avenue to permit a nine-storey building, as detailed in Documents 3 and 4.**

Recommandations du Comité

Que le Conseil approuve ce qui suit :

- a. une modification au Plan officiel, aux sections suivantes des politiques du Plan secondaire du Vieil Ottawa-Est :
 - i. 10.3.4.4.f, comme l'expose en détail le document 2, afin de permettre divers bâtiments d'une hauteur de trois à neuf étages et dont la désignation est Zone d'utilisations polyvalentes de hauteur moyenne dans le lotissement Greystone Village.**
 - ii. 10.2.1.4, afin de supprimer la référence aux immeubles de neuf étages, comme l'expose en détail le document 2.****

- b. une modification au Règlement de zonage 2008-250 visant le 10, avenue Oblats, afin de permettre la présence d'un immeuble de neuf étages, comme l'exposent en détail les documents 3 et 4.**

Documentation / Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated June 4, 2019 (ACS2019-PIE-PS-0057)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 4 juin 2019 (ACS2019-PIE-PS-0057)

2. Extract of draft Minutes, Planning Committee, June 27, 2019

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 27 juin 2019

3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of August 28, 2019, 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 July 10, 2019".

Résumé des observations écrites et orales à distribuer séparément avec l'ordre du jour de la réunion du 28 août 2019 du 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 10 juillet 2019 ».

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
27 June 2019 / 27 juin 2019**

**and Council
et au Conseil
10 July 2019 / 10 juillet 2019**

**Submitted on 4 June 2019
Soumis le 4 juin 2019**

**Submitted by
Soumis par:
Lee Ann Snedden,
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Planning Services / Services de la planification,
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Ward: CAPITAL (17) / CAPITALE (17)

File Number: ACS2019-PIE-PS-0057

**SUBJECT: Official Plan and Zoning By-law Amendment – 10 Oblats Avenue and
sites designated Mixed Use Medium-rise in the Old Ottawa East
Secondary Plan**

**OBJET: Modification au Plan officiel et au Règlement de zonage – 10, avenue
Oblats et emplacements dont la désignation est Zone d'utilisations**

**polyvalentes de hauteur moyenne dans le Plan secondaire du Vieil
Ottawa-Est**

REPORT RECOMMENDATIONS

1. That Planning Committee recommend Council approve:
 - a. An Official Plan Amendment to the Old Ottawa East Secondary Plan Policy sections:
 - i. 10.3.4.4.f, as detailed in Document 2 to permit a range of buildings between three and nine storeys in the Mixed-Use Medium-rise designation within Greystone Village.
 - ii. 10.2.1.4 to remove reference to nine storeys, as detailed in Document 2.
 - b. An amendment to Zoning By-law 2008-250 for 10 Oblats Avenue to permit a nine-storey building, as detailed in Documents 3 and 4.
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 *the Planning Act* 'Explanation Requirements' at the City Council Meeting of July 10, 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 ce qui suit :
 - a. Une modification au Plan officiel, aux sections suivantes des politiques du Plan secondaire du Vieil Ottawa-Est :
 - i. 10.3.4.4.f, comme l'expose en détail le document 2, afin de permettre divers bâtiments d'une hauteur de trois à neuf étages et dont la désignation est Zone d'utilisations

**polyvalentes de hauteur moyenne dans le lotissement
Greystone Village.**

ii. 10.2.1.4, afin de supprimer la référence aux immeubles de neuf étages, comme l'expose en détail le document 2.

b. Une modification au Règlement de zonage 2008-250 visant le 10, avenue Oblats, afin de permettre la présence d'un immeuble de neuf étages, comme l'exposent en détail les documents 3 et 4.

- 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 de la *Loi sur l'aménagement du territoire*, à la réunion du Conseil municipal prévue le 10 juillet 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.**

EXECUTIVE SUMMARY

Assumption and Analysis

Through the Zoning By-law amendment and Site Plan applications previously submitted, the applicant decided to submit an Official Plan Amendment (OPA) to clarify policies related to the specific designation in the Secondary Plan that the subject property is within. The Department has reviewed the policy and site context related to the request and to bring clarity to the ambiguity of the existing policy language, recommends an OPA specific to the designation within Greystone Village, and which references a range of permitted building heights, consistent with the existing zoning.

The site-specific Zoning By-law amendment permits the development of a nine-storey residential building with 120 units in the Greystone Village Subdivision. The proposed development has located the highest portion of the building furthest from a recently constructed adjacent building, has incorporated setbacks and stepbacks, which minimizes impacts on existing areas, while introducing a complementary land use within Greystone Village. In consideration of the applicable Official Plan policies and

compatibility of the use and building in the area, the Official Plan and Zoning By-law amendments are recommended for approval.

Public Consultation/Input

Two meetings were held in the community. Two comments were received requesting to be notified of the process, one comment was received asking a notification question, and 63 comments were received in opposition to the proposed development based on issues including but not limited to height, traffic and privacy impacts, as summarized in Document 5.

RÉSUMÉ

Hypothèse et analyse

Dans la foulée de ses demandes de modification au Règlement de zonage et de réglementation du plan d'implantation déjà présentées, le requérant a décidé de soumettre une demande de modification au Plan officiel (MPO) afin de clarifier les politiques relatives à la désignation du Plan secondaire s'appliquant précisément à la propriété visée. La Direction générale a examiné la politique et l'emplacement associés à la demande et, pour mieux lever l'ambiguïté créée par la formulation de la politique, recommande une MPO propre à cette désignation dans le lotissement Greystone Village, et qui fait référence à une variété de hauteurs de bâtiment autorisées, conformément au zonage actuel.

La modification au Règlement de zonage propre à l'emplacement permet l'aménagement d'un immeuble résidentiel de neuf étages abritant 120 unités d'habitation, dans le lotissement Greystone Village. Le plan de l'aménagement proposé situe la partie la plus élevée de l'immeuble sur la partie du terrain la plus éloignée d'un bâtiment adjacent récemment construit, intègre des retraits limitant les répercussions sur les secteurs avoisinants, tout en proposant une utilisation du sol complémentaire dans le lotissement Greystone Village. Compte tenu des politiques pertinentes de la MPO et de la compatibilité de l'utilisation et du bâtiment dans le secteur, l'approbation des modifications au Plan officiel et au Règlement de zonage est recommandée.

Consultation publique et commentaires

Deux réunions ont été organisées dans la collectivité. Deux commentaires ont été émis par des participants souhaitant être avisés du déroulement du processus, un commentaire portait sur une question entourant les avis et 63 commentaires étaient

défavorables à l'aménagement proposé, en raison de problèmes notamment liés à la hauteur, à la circulation et aux répercussions sur la vie privée, comme le résume le document 5.

BACKGROUND

Site Location

10 Oblats Avenue and sites designated Mixed Use Medium-rise in the Old Ottawa East Secondary Plan.

Owner/Applicant

Greystone Village Inc. and the Regional Group

Architect

Hobin Architecture

Description of site and surroundings

The lands subject to the OPA are those designated as Mixed-Use Medium-rise in the Old Ottawa East Secondary Plan. They include part of Greystone Village and a smaller triangular parcel which is addressed as part of 4 Mann Avenue, located east of Greenfield Avenue and between an on-ramp to Highway 417 and Nicholas Street. The parcels subject to the Official Plan Amendment are shown on the associated lands affected map as part of Document 2. However, through the course of review, it was determined most appropriate to amend the wording of the Mixed-Use Medium-rise designation only within Greystone Village and so no changes are recommended to part of 4 Mann Avenue.

The Greystone Village Subdivision is located on the east side of Main Street between Clegg Street and Oblats Avenue and adjacent to the Rideau River. Within Greystone Village, the subject site is located to the north of Saint Paul University, on Oblats Avenue.

The subject site for the Zoning By-law amendment, including the site of an adjacent proposed six-storey building, has an irregular lot with an area of 6,589.46 square metres. The proposed nine-storey building site will have approximately 54 metres of frontage on Oblats Avenue and approximately 64 metres of frontage on Deschâtelets Avenue. The area south of the subject site will be a public park in the future, and to the

east there will be townhouses across Deschâtelets Avenue. North of the property is 141 Main Street, which is a six and four-storey building under construction.

The surrounding properties on Main Street, within Greystone Village and in the surrounding neighbourhood are a mix of low and mid-rise residential, commercial and mixed-use buildings.

Summary of Proposed Development

The proposed development is two buildings with a total of 245 residential units, and 1,679 square metres (approximately 18,000 square feet) of retail. The two buildings will have a shared underground parking garage with 269 parking spaces to serve both residential and retail uses and 26 surface parking spaces to serve a retail and visitor function. One hundred and thirty bicycle parking spaces are proposed. Vehicular, garbage and loading access to the site would be from Oblats Avenue. Building 2A is a mixed-use building where previous approval for a Zoning By-law Amendment was recently granted.

The proposed 29-metre nine-storey building (Building 2B), is the subject of this application, and will be residential with 120 units. The proposed development will be separate from the six-storey mixed-use building but share surface and underground parking. Amenity areas will be in the form of outdoor terraces, sheltered courtyards, and communal rooftop space.

Summary of Official Plan Amendment proposal

Through the Zoning Amendment and Site Plan Control applications previously submitted, discussion had ensued as to the need for an OPA to the Old Ottawa East Secondary Plan. In response to the ambiguity of the current wording of the policies and to ensure clarity for process purposes, an OPA was submitted. This application seeks to clarify secondary plan policies which reference both a six-storey (10.2.1.2) and a nine-storey (10.2.1.4) maximum within the General Land Use and Design Policies.

The OPA would permit up to a nine-storey building specifically within the Mixed-Use Medium-rise designation and remove reference to a nine-storey building permitted generally within the Medium-rise designation. The details of the recommended OPA are contained in Document 2.

Summary of Zoning By-law Amendment proposal

The subject property is zoned Traditional Mainstreet, Exception 2301, Maximum Height 20 metres (TM [2301] H (20)). The applicant is generally seeking to amend some required setbacks, the maximum height, step back requirements for upper storeys and provisions associated with projections. The recommended Zoning By-law amendment is to amend the portion of property with the nine-storey building to include a height schedule that will reflect proposed setbacks and heights at varying storeys, as well as including provisions for permitted projections, balconies, and a washroom on the rooftop.

Brief History of proposal

The Old Ottawa East Secondary Plan and Community Design Plan (CDP) were approved by Council on August 25, 2011. The CDP included a Demonstration Plan for the lands to show potential development and one possible development scenario. Zoning was implemented in accordance with the Demonstration Plan at that time. The Demonstration Plan contemplated mixed use and residential mid-rise buildings for the bulk of the site, relying on private access to accommodate the development of the property and related Site Plan Control applications for review.

On December 9, 2015, Council approved the current zoning based on a revised concept that included similar densities as the previous Demonstration Plan, but shifted the zoning lines, and introduced detached and townhouse dwellings (not previously contemplated), accessed through public streets. A Plan of Subdivision process ran concurrently to the Zoning By-law amendment at that time.

The implementing zoning for the subject parcel was TM[2301] H(20), or Traditional Mainstreet with an exception and a height limit of 20 metres. The zoning was implemented for the entire parcel, as it was one lot, similar to other TM zones and in keeping with the previous GM zone height restriction.

The concept plan has now changed to include the two buildings at the subject site as proposed. The subject application for Zoning By-law amendment was submitted March 23, 2018 with an accompanying application for Site Plan Control.

DISCUSSION

Official Plan designation

According to Schedule B of the Official Plan, the property is designated as a Traditional Mainstreet. The Mainstreet designation identifies streets that offer significant opportunities for intensification through compact forms of mixed-use development in a pedestrian-friendly environment. Redevelopment and Infill are encouraged on Traditional Mainstreets in a built form that encloses and defines the street edge with active frontages. The Official Plan supports mid-rise building heights on Traditional Mainstreets, but secondary plans may identify circumstances where different building heights may be permitted. Section 4.11.7 in the Official Plan defines Medium-Rise as being a five to nine storey building. Development proposals are evaluated in the context of the policies found in 2.5.1 and Compatibility policies in 4.11.

Compatible development means development that is not necessarily the same as existing buildings but coexists without causing undue adverse impact. Relevant considerations from Section 2.5.1 Urban Design and Compatibility of the Official Plan include defining quality public and private spaces through development, allowing built form to evolve through architectural style and innovation, accommodating the needs of a range of people of different incomes and lifestyles at various stages, and maximizing opportunities for sustainable transportation modes. Section 4.11 of the Official Plan – Urban Design and Compatibility identifies relevant policies regarding scale, height, traffic, access, parking, outdoor amenity areas, service areas, sunlight and supporting neighbourhood services.

Other Applicable Policies and Guidelines

The Old Ottawa East Secondary Plan includes policies for the Greystone Village Area in 10.3.4 East side of Main Street Springhurst to Clegg.

Relevant policies speak to providing for a variety of residential building types and tenures for a rich and diverse community to accommodate a full demographic profile of households. The Secondary Plan encourages a complementary architectural treatment of buildings, compatibility and transition as set out in the Official Plan and Zoning By-law to reflect a gradual transition of heights, locating parking primarily below grade, creating a pedestrian-friendly environment along street frontages on the Mainstreet, and maintaining public access.

With specific reference to height provisions and the permission for a nine-storey building within the Secondary Plan, the department advises as follows:

- The subject property is within the Mixed-Use Medium-rise designation in the Old Ottawa East Secondary Plan.
- Section 10.2.1.2 states; "...no buildings will be allowed higher than six storeys and 20 metres within the area of this Plan other than the height limits allowed within the precincts referred to in Sections 10.3.4 and 10.3.7".
- Section 10.3.4 is the precinct on the East side of Main Street, Spinghurst to Clegg and so the subject site is within the precinct referred to in 10.3.4
- Section 10.2.1.4 states; "building heights within the low-rise area will not exceed four storeys, and in the medium-rise area will not exceed nine storeys".
- The specific issue with lack of clarity is the contradiction between 10.2.1.2 and 10.2.1.4
- Section 10.3.4.4.f states, "Provide a range of building heights between five and nine storeys in the Residential Medium-Rise designation."
- Section 10.3.4.5.c states; "Maintain a maximum height of six storeys and a mix of uses in the built form of the Traditional Mainstreet, with a general lot depth of 40 metres."
- There is not a specific reference to height limits for the Mixed-use Medium rise designation except for it belonging to the precinct referred to in 10.2.1 and the parent reference within 10.2.1.4 to medium-rise areas.

The Old Ottawa East Community Design Plan contains generally the same policies as the Secondary Plan for the Greystone Village site.

The Urban Design Guidelines for Traditional Mainstreets guide development to provide compatibility in context, to achieve high-quality built form, provide continuity along Mainstreets, to foster compact pedestrian-oriented development and a broad range of uses including retail. The guidelines promote buildings that respect the rhythm and pattern of the existing or planned buildings on the street, set back upper storeys, locate parking access off of side streets and respect the privacy of buildings to the rear

Urban Design Review Panel

The property is within a Design Priority Area and the Zoning By-law amendment application and Site Plan Control application were subject to the Urban Design Review Panel (UDRP) process. The applicant presented their proposal to the UDRP at a formal review meeting, which was open to the public.

The formal review meeting for the Zoning By-law amendment and Site Plan Control application was held on July 4, 2018, after which some changes were made to the proposed building.

The panel's recommendations from the formal review of the Zoning By-law amendment application and Site Plan Control application are:

General Comments

- The Panel strongly agrees that the Grande Allée leading to the Deschâtelets Building is the key element of the master plan for the Greystone Village, creating a moment in the city to celebrate. Making the Grand Allée work as a unique, and important public space is crucial.
- The Panel is of the opinion that the proposed buildings must appear as background buildings which are handsome, and relatable to the heritage building, and which frame the Grand Allée, from Main Street to its terminus.

Architectural Style and Heritage Character

- The Panel has some concerns that the proposed industrial architectural language detracts from the experience of the Grande Allée and its terminus at the Edifice Deschâtelets. It is the Panel's opinion that the façade treatments along the Grande Allée should subtly relate to the heritage building.
 - These façades should be part of a narrative that leads to the Edifice Deschâtelets, while allowing the heritage building to remain the focal point.
 - The Panel suggests that a symmetry of height would likely better frame the Grande Allée, and the Panel has some concerns, in terms of relatability with the heritage context, with the proposed height of nine stories for Building 2B.

- The Panel suggests reconsidering the vertical element at the corner of Building 2B to avoid creating a visual distraction from the heritage building.
 - The Panel suggests repetitive windows, which are more vertical in expression, rather than wide, would architecturally relate Building 2A and 2B to the heritage building.
 - One suggestion from the Panel is to incorporate more stone into the two buildings, particularly closer to the heritage building.
- The Panel suggests that the architectural expression at the base of Building 2A could, through materials or design elements, provide some visual clues that the Edifice is behind.
- The Panel suggests reducing the architectural contrast between Buildings 2A and 2B, and instead establish a stronger dialogue between the two buildings.

Parking and Commercial Use

- The Panel feels that more of the proposed parking area should be landscaped.
 - Entrances and service-oriented space that relates to Building 2A and 2B could be located adjacent to this landscaped area.
- Consider additional on-street parking spaces on des Oblats Avenue, and add entrances to commercial units, so that the street becomes part of the public realm with parking and shopping.
 - Considering that grocery stores typically have one principle entrance, it may be preferable to have some smaller scale retail along des Oblats in order to create a more active public realm.

The Panel's recommendations from an October 5, 2017 pre-consultation included reference to architectural expression and general relationship between the buildings and the Grand Allée as favourable. At that time, there was acknowledgement that surface parking creates a difficult design challenge, but confidence that through appropriate screening and surface treatment, minimizing of blank walls, and effective use of ground level retail, a successfully integrated relationship between this area and

the Grand Allée is achievable. The panel encouraged further analysis of the proposed development in relation to the public realm. At the pre-consultation, the different expressions of the two buildings to address Main Street and the Grand Allée was supported, as was elements of the industrial aesthetic. The panel encouraged a wrap around treatment of buildings where they face the surface parking area.

Through comment provided at both the pre-consultation and formal review, the panel was successful in aiding in the implementation of the following:

- Massing of the nine-storey building was modified to introduce setbacks above the sixth storey.
- Balconies were modified to inset some and remove others.
- Additional glazing was added to the six-storey building abutting the surface parking area.
- Kitchen and indoor seating facilities in the rooftop amenity area have been removed.
- Vertical window expression on the six-storey building was changed in order to relate further to the Deschâtelets building.
- Stone was incorporated to the base of the six-storey building and the main body of the nine-storey building. In order to avoid a monotone architecture, sandstone was used to emphasize perspective lines that direct the viewer towards the Deschâtelets building. Contrasting materials including heritage brick, glass and dark grey aluminum help sandstone stand out as main material while helping other elements to blend in with their surroundings.
- The datum line was strengthened at the ground floor and above the sixth floor in order to bring the focus to the Deschâtelets building and reduce the impacts of additional height being sought.
- The southern edge of the parking adjacent to the Grand Allée was softened with increased landscaped areas.

Certain recommendations of the panel were not able to be met:

- The heights remain as proposed. The differing heights between the two buildings permit an opening between for access and breathing space between buildings. Modifications have been made in terms of materiality and setbacks as noted above and there is minimal impact from the additional height proposed.
- The provision of additional on-street parking on Oblats Avenue would have meant the removal of landscaping and space for pedestrians that is more consistent with the residential character of this street. Local commercial uses have been concentrated along the Grand Allée in order to activate that priority public realm space.

Planning Rationale for the Zoning By-law Amendment

The two buildings have been designed with a 21-metre separation distance between them and a shared access to the underground parking area to minimize curb cuts and disruption to the pedestrian environment.

The site is designated as Traditional Mainstreet in the Official Plan. The objective of this designation is to encourage dense and mixed-use development that supports, and is supported by, increased walking, cycling and transit.

The site is located approximately 850 metres from the Lees transit station and is on the newly constructed Main Street, which is a spine route for the Cycling Network in the Transportation Master Plan. The site is also located less than 250 metres from a Master Pathway in the Cycling Network along the Rideau River. Pedestrian access is provided through the site from the future public park to Oblats Avenue.

The original Community Transportation Study assumed a development of 215 condominium units and approximately 37,000 square feet of retail for the subject site. The proposed development today represents an increase of 30 residential dwelling units and a decrease of approximately 19,000 square feet of retail, which equates to an estimated increase of 12 vehicle trips during the morning peak hour and eight during the afternoon peak hour.

The Transportation Impact Assessment submitted as part of the application concluded that additional trips generated by the proposed development will have no significant impact on the operating conditions identified in the Community Transportation Study

that was done as part of the initial Plan of Subdivision approvals. With respect to deliveries, the majority of these will be performed by medium single-unit trucks and will occur in the surface parking lot. Larger trucks will use the proposed on-street lay-bys.

The subject site provides easy access to local pedestrian, bicycle and transit systems. The applicant is engaged with Vrtucar to provide a car share facility at 530 De Mazenod Avenue, a nine-storey building under construction approximately 200 metres south of the subject site. The applicant has also agreed to implement Transportation Demand Management measures including displaying local area maps with walking/cycling access routes, relevant transit schedules and route maps, and unbundling parking costs from monthly rent.

Applications for Zoning By-law amendments are also guided by Sections 2.5.1 and 4.11 of the Official Plan.

Section 2.5.1 speaks to new design and innovation co-existing with existing development without causing undue adverse impact on surrounding properties. The proposed development has located the tallest portion of the building internal to the site from Main Street, approximately 75 metres from Main Street and 110 metres from the Heritage Designated Deschâtelets building. The main portion of the building is set back between 2.7 and 4.2 metres from Oblats Avenue with upper storey stepbacks between 1.1 and 1.6 metres. From the Grand Allée, the building is set back 6.2 metres with varying upper storey stepbacks and the building is oriented to Deschâtelets Avenue in an L-shape which reduces massing impacts on the future low-rise built form on the other side.

The central portion of the site will contain with surface parking and provides a 21-metre space between the two proposed buildings, which improves the relationship between the built form and the abutting Grand Allée and Oblats Avenue. Roof top amenity area is setback from the edge of building to minimize issues of privacy and overlook. The nine-storey building is located diagonally from the recently constructed Corners at Main building with the closest point being approximately 23 metres.

A sun/shadow study has been prepared, which shows minimal difference between the proposed development and a permitted six-storey building at the same location, as well as highlighting that the separation between the two buildings means no shadows for that portion of the site.

Revisions have been made through the course of review including changes to materiality, stepbacks, glazing, and reduction to roof top projections. Landscaping in this area will be addressed through the Site Plan Control process. The buildings, including the underground parking, have been set back from the Grand Allée to ensure retention of existing mature trees.

Traffic, sun/shadow, privacy, and built form impacts from the proposed Zoning By-law amendment are anticipated to be minimal.

Section 4.11 of the Official Plan references compatibility of new buildings with their surroundings through setbacks, heights, transitions, colours and materials, orientation of entrances, location of loading facilities and service areas, and podium design. The subject proposal incorporates varying setbacks to transition effectively to adjacent land uses and to break up the massing of the building. Pedestrian entrances have been oriented towards Main Street, the Grand Allée and Oblats Avenue. Vehicular access is proposed from Oblats Avenue, in keeping with design guidelines which speak to locating parking access off of side streets. Loading spaces have been provided in the surface parking area between the buildings. Design issues including colours and materials have been reviewed twice by the Urban Design Review Panel and been changed accordingly.

In accordance with Official Plan and Secondary Plan policies, a review of Section 2.5.1 and 4.11 of the Official Plan have concluded that the provisions sought through the subject Zoning By-law amendment are appropriate without undue adverse impact.

The application has been reviewed under OPA 150 but does not rely specifically upon any of the amendments introduced by it.

Planning Rationale for the Official Plan Amendment

Policies in the Old Ottawa East Secondary Plan refer to the subject site with varying references to a maximum of six or nine storeys. Within Section 10.2.1 – Land Use and Design Policies, there are two relevant policies including:

10.2.1.2. Notwithstanding the provision for greater building heights set out in the Official Plan, no buildings will be allowed higher than six storeys and 20 metres within the area of this Plan other than the height limits allowed within the precincts referred to in Sections 10.3.4 and 10.3.7 of this Plan.

10.2.1.4 Buildings within the low-rise area will not exceed four storeys, and in the medium rise area will not exceed nine storeys.

Within Section 10.3.4, the relevant policy related to height is:

10.3.4.4 f. Provide a range of building heights between five to nine storeys in the Residential Medium-Rise designation. The related zoning will reflect a gradual transition between the heights in this range and buildings in proximity of lower height.

Section 10.3.4 is silent on height references to the Mixed-Use Medium-rise designation. That combined with the policies in Section 10.2.1 have led to varying interpretations on what the Secondary Plan permits in terms of height restrictions.

This policy structure does not provide clear guidance for the location of the taller buildings within Greystone Village and creates confusion when making planning decisions. For this reason, the first recommended amendment is to address the Mixed-Use Medium-rise designation specifically within Section 10.3.4, which applies to Greystone Village. The amendment is to provide clarity that a range of building heights between three to nine storeys will be permitted in the Mixed-Use Medium-rise designation. Existing policies require that implementing zoning provides transitions of height between higher and lower buildings. This change is in keeping with Council direction related to height of mid-rise building and it does not conflict with any other remaining policies directed to Greystone Village and will ensure appropriate transition for buildings within the Mixed-Use Medium-rise designation.

The second amendment modifies Section 10.2.1.4 to remove duplicating references to height that are contained within 10.3.4 (f). This change is to remove duplication and avoid future confusion.

Building and zoning permissions exist within the Mixed-Use Medium-rise designation that exceed six storeys. A building is currently under construction in the Mixed-Use Medium-rise designation at 225 Scholastic Drive that exceeds six storeys in height. On a separate parcel of land addressed as 170 Hazel Street, The Zoning By-law Amendment passed by Council in 2015 included building height provisions greater than six storeys in the Mixed-Use Medium-rise designation. These past processes occurred based on the interpretation that the Mixed-Use Medium-rise designation already permitted up to nine storeys, based on 10.2.1.2 and 10.2.1.4.

The proposed amendment does not conflict with other policy direction contained within the Old Ottawa East Secondary Plan including provision of a variety of residential building types and tenures, encouraging a complementary architectural treatment of buildings, achieving compatibility and transition to adjacent lands, respecting the cultural heritage value of the Deschâtelets building, maintaining public access and not exceeding nine storeys within the medium-rise area.

The proposed OPA is consistent with the definition of building heights in the Official Plan. Mid-rise buildings in the Official Plan means up to nine-storeys. Given this direction by council, it is appropriate planning to resolve the confusion existing in the current policies to permit mid-rise buildings up to nine storeys in the Mixed-Use Medium-rise designation. Nonetheless, this OPA will not permit these building heights as of right throughout the Mixed-Use Medium-rise designation, as the Zoning By-law contains maximum building heights in Greystone Village varying between 11 metres for the R3Q [2306] zone on the east side of Deschâtelets Avenue to 32 metres for the R5B [2309] zone for the site.

The portion of 4 Mann Avenue that is designated as Mixed-Use Medium-rise serves as space between Nicholas Avenue and an on-ramp to Highway 417 and is zoned as TD1 with a height limit of 20 metres in the Zoning By-law, was originally affected by the proposed amendment, but the recommended amendment now would only impact lands within Greystone Village.

Should a site within the Mixed-Use Medium-rise designation wish to alter the existing zoning maximum building heights, an application for Zoning By-law amendment or minor variance would be required, as the current process requires. Any proposal to increase the height would be evaluated on its own merits.

The recommended wording in the Secondary Plan is not to permit nine storeys unconditionally within the designation. The recommendation is to reference the provision of a range of building heights within the designation and reference related zoning to provide transition between proposed buildings and those in proximity of lower height. This is consistent with implemented zoning in effect.

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.

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. Two meetings were held in the community. The first was February 27, 2018 at the Old Town Hall Community Centre with the Old Ottawa East Community Association. This meeting involved an open house, presentation and questions and answer session with attendance from the design team and members of the community.

The second meeting was held May 24, 2018 at the Greystone Sales Centre on Main Street with residents from The Corners on Main development. The format was the same as the previous meeting with attendance from the design team and also members of the community.

Staff from Regional Group regularly attend the Old Ottawa East Community Association Board meetings to provide updates and to answer questions related to Greystone Village.

Two comments were received requesting to be notified of the process, one comment was received asking a notification question, and 63 comments were received in opposition to the proposed development based on issues including but not limited to height, traffic and privacy impacts, as summarized in Document 5.

COMMENTS BY THE WARD COUNCILLOR

Councillor Menard provided the following comments:

“This file is one of utmost import to both Old Ottawa East and the City of Ottawa as a whole. At stake is whether our City chooses to defend its Official Plan or not, whether we respect CDP’s and Secondary Plans, or not, and whether we choose to intensify with care and vision or with abandon.

It is important that anyone weighing this particular application puts it in context with the rest of the massive development and the ongoing working relationship with the community. From the beginning, Regional has been viewed as a partner with the surrounding community. They have shown good faith in working with them directly to

improve design, assigning a liaison with the community association and incorporating ideas received into the development. This has been welcome.

It is fair to say that the Official Plan amendment being sought is a departure from the collegial work that has been done. Most importantly, there was widespread agreement with the community, consultants, and the builder put in place just a few short years ago. Greystone would follow a community plan, which would be turned into a Secondary Plan with the weight of the Official Plan. There would be respect shown to ensure homeowners and renters (new and old) get what was expected on that site, and would ensure the existing heritage buildings on site are not diminished in character as defining elements in the overall site. This application breaks that trust and respect built over years and it challenges the very purpose of having an Official Plan in Ottawa.

History of this File:

- When the Oblate Father Catholic Order decided to sell this land less than 10 years ago, they set out with a purpose. To ensure they designed a plan with community and sold to a bidder who would respect that. Widespread agreement was achieved.
- The developer is going back on a long-standing position on the proposed height of buildings on these lands in the mixed-use medium rise area. The initial zoning was established in 2011 and the current developer requested zoning changes in 2015, which were accepted. Promotional material prepared by the developer, and often reproduced by the press, has consistently illustrated six storey buildings on the 2B site, as did the original 3-D concept display in their presentation centre. More than 300 individuals and families have recently purchased new houses in this precinct based, in part, on existing zoning and promotional material prepared by Regional Group. Including the Corner's on Main development, a 6-storey building, right next door.
- An application has been made to amend the Old Ottawa East Secondary Plan to clarify policies related to permitted heights and permit the construction of a nine-storey residential building with 120 units.

Concern Regarding Ottawa's Official Plan

- We are in the midst of an Official Plan Update, something extremely exciting for our community. We want the public to engage in that process and feel as though

there is weight to their deliberations and more teeth as a result of it. How does it look to be allowing an amendment ostensibly because the developer wishes it now, despite years of understanding and agreement between multiple parties?

- We cannot reasonably go back to residents of Ottawa and say that our Official Plan will be defended by Councillors if this goes ahead.
- I am currently engaging in a consultation with the Bank Street Height and Character Study for which we have been told repeatedly by planning officials that ensuring it is in the Official Plan gives it the weight required to ensure more consistency. How does it appear to those residents engaged in this process when we do not defend our own official plan?

Urban Design Review Panel

The UDRP has reviewed the proposal for a six storey building close to Main St with a nine story building closer to the Deschatelets building, at site 2B, on July 4th - 2018, and concluded, **“The Panel suggests that a symmetry of height would likely better frame the Grande Allée, and the Panel has some concerns, in terms of relatability with the heritage context, with the proposed height of nine stories for Building 2B.”** A further expression of the Panels concern about the proposed nine storey build is found in their comment **“The Panel suggests reducing the architectural contrast between Buildings 2A and 2B, and instead establish a stronger dialogue between the two buildings.”**

Density

This building **adds no new density** compared to what will be achieved with 6 stories. It is located on a parcel of land that would accept the exact same density at 6 stories with an alternative design concept or a minor reduction in above-grade parking.

The overall site was originally planned for about 915 units – That figure now stands at 1160 and growing. The community has willfully accepted massive new densification, in a properly planned intensification exercise. This new proposal is not about density.

Heritage Aspects:

The oldest and largest historical institution in Ottawa East is the Scholasticate of St. Joseph now known as the Edifice Deschâtelets. The original building was erected in 1885 on land purchased by the Oblates of Mary Immaculate (OMI) in the early 1860's.

From the very beginning the Scholasticate has played a major role in the evolution of the community. As the leader of the Catholic community, it was the Oblates who were responsible for the establishment of the schools and churches that served the Catholics of Ottawa East. As well, they were also responsible for the founding of many other institutions in the Ottawa area including the University of Ottawa and later, Saint Paul University on Main St.

Building 2B is also located directly abutting the Grande Allée, a central feature of the site, as it presents old growth trees lining the historic site, with a romantic, carefully planned view of Deschâtelets. That lasting heritage, that moment in time, should not be diminished by an imposing structure, not consistent with the rest of the Grande Allée.

Legal Implications

One may wonder why this application was re-submitted as an Official Plan amendment rather than a zoning request. It is because legal did not agree with our planning staff's interpretation of the site. A critical piece of information when reviewing this area. Indeed, this has caused disparities already existing in the mixed-use medium rise area. The advice of our legal staff was that an Official Plan Amendment was very likely necessary.

Councillor's should reject this application swiftly and with purpose as it has implications for our new updated Official Plan and for community-planned development all across Ottawa."

LEGAL IMPLICATIONS

Members of Council will be aware that Bill 108 has been enacted by the Legislature. However, at the time of the writing of this comment, draft transitional regulations have not been provided. Thus, it is not known if an official plan amendment adopted or a zoning by-law enacted at this time would be subject, upon appeal, to the Bill 139 procedure or the Bill 108 procedure.

In any event, should the recommendations be carried and the matters appealed to the Tribunal, it is anticipated that the appeals can be conducted within staff resources. Should the applications be refused, reasons must be provided. In the event of appeals of a refusal, an external planner would need to be retained.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications.

ASSET MANAGEMENT IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the report recommendations. In the event of appeals of a refusal, an external planner would be retained. This 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. The *Accessibility for Ontarians with Disabilities Act* requirements for site design will also apply and will be reviewed at the time of the Site Plan Control applications.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priority:

- EP2 – Support growth of local economy.

APPLICATION PROCESS TIMELINE STATUS

This application was processed by the "On Time Decision Date" established for the processing of Official Plan amendment applications. The Zoning By-law amendment application was not processed by the "On Time Decision Date" due to the associated Official Plan amendment application.

SUPPORTING DOCUMENTATION

Document 1 Location Map and Zoning Key Plan

Document 2 Details of Official Plan Amendment

Document 3 Details of Recommended Zoning

Document 4 Proposed Building Height Schedule

Document 5 Consultation Details

Document 6 Site Plan

CONCLUSION

The recommended Official Plan Amendment is to clarify policies related to the range of heights permitted within the Mixed-Use Medium-rise designation in the Old Ottawa East Secondary Plan specific to Greystone Village. This is consistent with past interpretation, existing zoning permissions, and is based on a policy and context review.

The proposed development has located the highest portion of the building furthest from a recently constructed adjacent building, has incorporated setbacks and stepbacks, which minimizes impacts on existing areas, while introducing a complementary land use within Greystone Village. In consideration of the applicable Official Plan policies and compatibility of the use and building in the area, the Official Plan and Zoning By-law Amendments are recommended for approval.

DISPOSITION

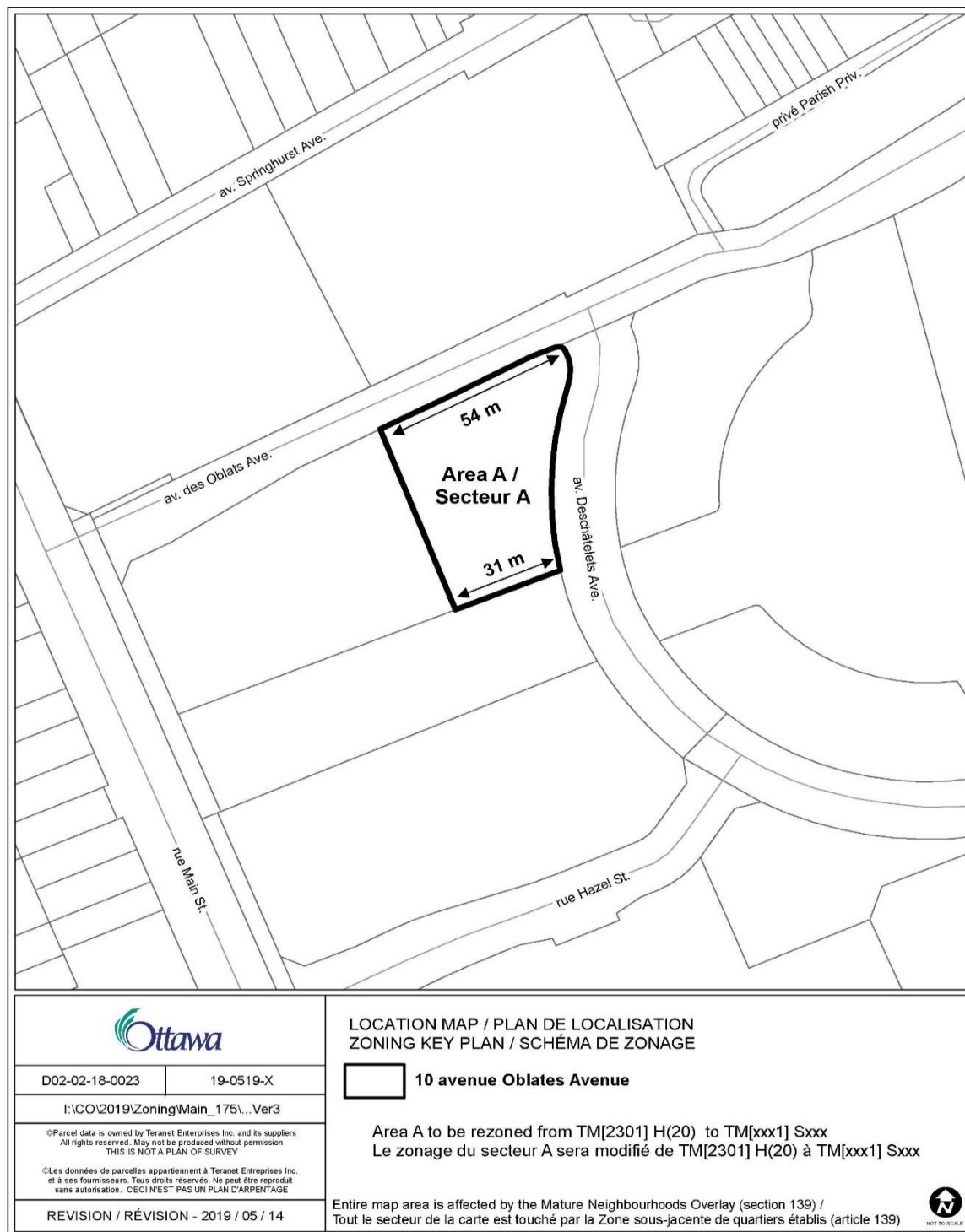
Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

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 and Zoning Key Plan



Document 2 – Details of Official Plan Amendment



Official Plan Amendment No. XXX Modification du Plan Directeur

To the Official Plan of the City of Ottawa

Land use

Utilisation du sol

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THE STATEMENT OF COMPONENTS

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

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

PART A – THE PREAMBLE

1. Purpose

The Official Plan Amendment would amend wording in the Old Ottawa East Secondary Plan for lands designated Mixed Use Medium-rise within Greystone Village on Schedule A as well as removing contradictory text found in Section 10.2.1 – Land Use and Design Policies.

2. Location

Lands designated as Mixed-Use Medium-rise on Schedule A within Greystone Village and those designated Medium-rise within the Secondary Plan.

3. Basis

Sites designated as Mixed-Use Medium-rise are subject to a number of policies related to maximum building heights in the Old Ottawa East Secondary Plan and clarification is required to ensure future issues of interpretation are avoided.

4. Rationale

Policies in the Old Ottawa East Secondary Plan refer to the subject site with varying references to a maximum of six or nine storeys. Within Section 10.2.1 – Land Use and Design Policies, there are two relevant policies including:

10.2.1.2. Notwithstanding the provision for greater building heights set out in the Official Plan, no buildings will be allowed higher than six storeys and 20 metres within the area of this Plan other than the height limits allowed within the precincts referred to in Sections 10.3.4 and 10.3.7 of this Plan.

10.2.1.4 Buildings within the low-rise area will not exceed four storeys, and in the medium rise area will not exceed 9 storeys.

Within Section 10.3.4, the relevant policy related to height is:

10.3.4.4 f. Provide a range of building heights between five to nine storeys in the Residential Medium-Rise designation. The related zoning will reflect a gradual transition between the heights in this range and buildings in proximity of lower height.

Section 10.3.4 is silent on height references to the Mixed-Use Medium-rise designation. That combined with the policies in Section 10.2.1 have led to varying interpretations on what the Secondary Plan permits in terms of height restrictions.

This policy structure does not provide clear guidance for the location of the taller buildings within Greystone Village and creates confusion when making planning decisions. For this reason, the first recommended amendment is to address the Mixed-Use Medium-rise designation specifically within Section 10.3.4, which applies to Greystone Village. The amendment is to provide clarity that a range of building heights between three to nine storeys will be permitted in the Mixed-Use Medium-rise designation. Existing policies require that implementing zoning provides transitions of height between higher and lower buildings. This change is in keeping with Council direction related to height of mid-rise building and it does not conflict with any other remaining policies directed to Greystone Village and will ensure appropriate transition for buildings within the Mixed-Use Medium-rise designation.

The second amendment modifies Section 10.2.1.4 to remove duplicating references to height that are contained within 10.3.4 (f). This change is to remove duplication and avoid future confusion.

Lands Affected Map



D01-01-19-0006

19-0384-A

I:\CO\2019\Location\Old Ottawa East

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REVISION / RÉVISION - 2019 / 04 / 10

LOCATION MAP / PLAN DE LOCALISATION OFFICIAL PLAN AMENDMENT / MODIFICATION DU PLAN OFFICIEL



Old Ottawa East Secondary Plan / Plan secondaire Vieux Ottawa-Est



"Mixed Use Medium-rise / Polyvalent de moyenne hauteur"



NOT TO SCALE

PART B – THE AMENDMENT

- Introduction

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

- Details

The following changes are hereby made to the Official Plan for the City of Ottawa:

1. The Old Ottawa East Secondary Plan Section 10.3.4.4 f. is hereby amended to add the following text “**and between three to nine storeys in the Mixed-Use Medium-rise designation**” following the words “*Residential Medium-Rise designation*” in the first sentence.
2. The Old Ottawa East Secondary Plan Section 10.2.1.4 is hereby amended to remove the text “, *and in the medium-rise area will not exceed nine storeys*”:

- Implementation and Interpretation

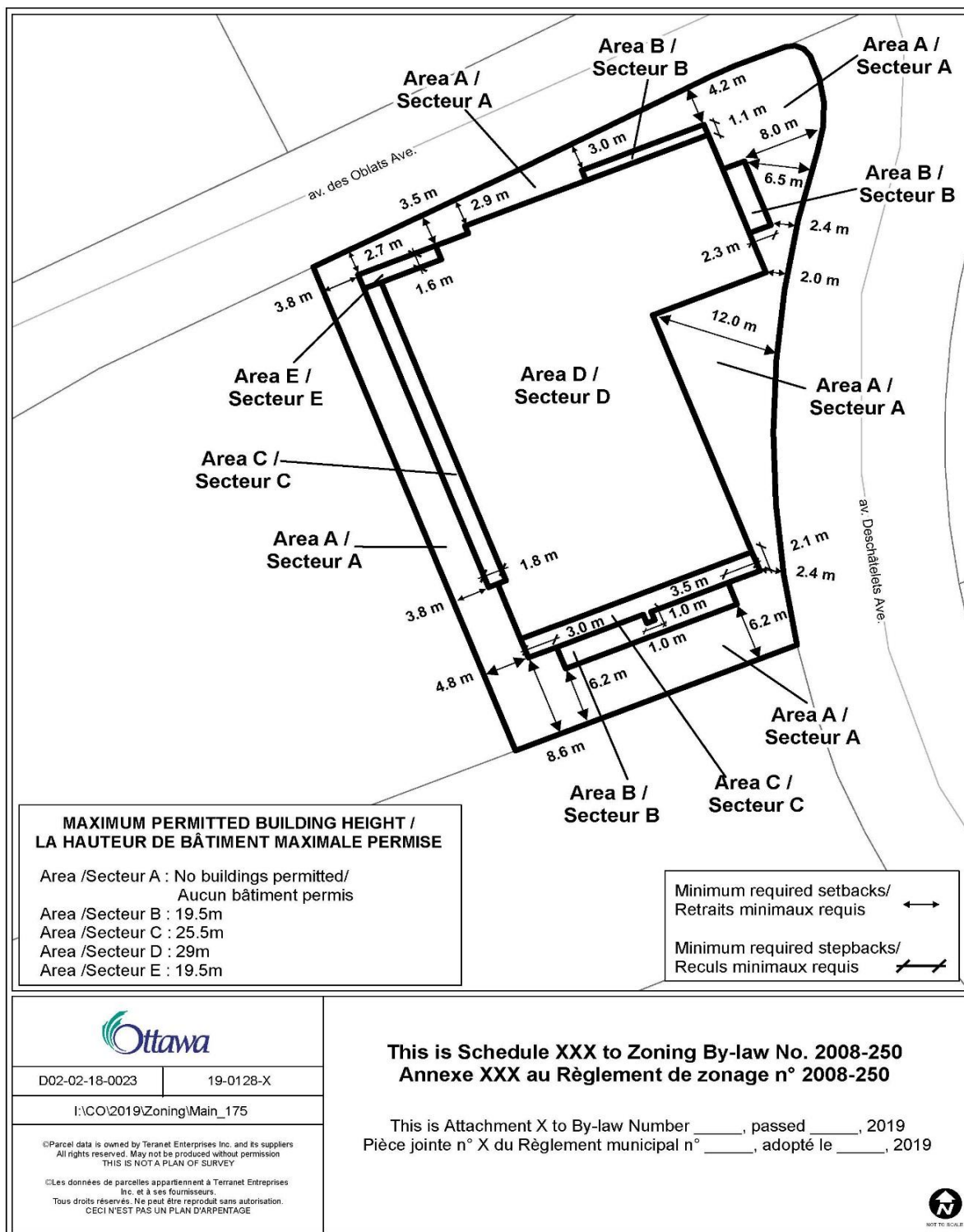
Implementation and interpretation of this amendment shall be in accordance with the policies of the Official Plan for the City of Ottawa.

Document 3 - Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 10 Oblats Avenue:

1. Rezone the lands shown in Document 1, Map 1 as follows:
 - a) Rezone area A from TM[2301] H(20) to TM[xxx1] SXXX.
2. Add a new exception, TM[xxx1] to Section 239, Urban Exceptions, with provisions similar in effect to the following:
 - a) In Column II, add the text "TM[xxx1] SXXX";
 - b) In Column V, add the text:
 - Maximum permitted building heights, minimum setbacks and minimum stepbacks are as per Schedule XXX.
 - Section 197 (3) (g) (ii) does not apply
 - Permitted projections listed in Table 65 may project up to 0 metres of the property line adjacent to Deschâtelets Avenue.
 - Despite height maximums in Schedule XXX, balconies may project from one Area in Schedule XXX into another
 - In Area E, a balcony is only permitted below the eighth storey
 - A roof top washroom area:
 - i) Is considered a permitted projection above the height limit to a maximum height of 4.2 metres; and
 - ii) Has a maximum floor area of 20 square metres.

Document 4 – Schedule XXX of Zoning By-law 2008-250



Document 5 – 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 Official Plan and Zoning By-law amendments. Two meetings were held in the community. The first was February 27, 2018 at the Old Town Hall Community Centre with the Old Ottawa East Community Association. This meeting involved an open house, presentation, and questions and answer session with attendance from the design team and members of the community.

The second meeting was held May 24, 2018 at the Greystone Sales Centre on Main Street with residents from The Corners on Main development. The format was the same as the previous meeting with attendance from the design team and also members of the community.

Staff from Regional Group regularly attend the Old Ottawa East Community Association Board meetings to provide updates and to answer questions related to Greystone Village.

As a result of the public notification undertaken, two comments were received requesting to be notified of the process, one comment was received asking a notification question, and 63 comments were received in opposition to the proposed development based on issues including but not limited to height, traffic and privacy impacts, as summarized below.

Public Comments and Responses

1. This does not follow the city's own plans for Old Ottawa East. The original CDP and Secondary Plan were a compromise between the City, the developer, and the community. If changes are accepted, all plans need to be revisited.

Response: The proposed OPA is in keeping with the policy direction of the Old Ottawa East Secondary Plan. Changes to existing Secondary Plans are allowed by the *Planning Act* and each application will be evaluated on its own merits. Please see planning rationale in main body of the report.

2. Additional height permitted at this site sets a precedent for other sites. Building at Main and Lees is an abomination and should not be used as precedent.

Response: Planning applications do not set precedent. Every application is considered on its own merits and will be reviewed as such in reference to applicable policy documents.

3. There should be greater setbacks on the building from Oblats Avenue.

Response: Additional setbacks have been incorporated into the design and recommended Zoning Schedule ranging between 1.1 and 1.6 metres for the nine-storey building. The closest portion of the building to the property line is 2.7 metres and balconies have been eliminated in the north-west corner of the upper storeys.

4. Concern with wind impacts.

Response: The submitted Pedestrian Level Wind Study concluded that all grade-level areas within and surrounding the development will be acceptable for the intended pedestrian uses on a seasonal basis. Wind conditions along surrounding walkways and sidewalks, building access points and transit stops will be acceptable for pedestrian uses throughout the year. The study recommended wind barriers for rooftop amenity areas. No areas are considered uncomfortable or unsafe.

Revisions to the designated seating areas on the rooftop amenity areas led to an Addendum to the Wind Study which concluded that wind mitigation is not required for the terraces, further reducing any visual impacts from wind barriers.

5. Concern with shadow impacts and increased heating costs as a result.

Response: A sun/shadow study has been prepared, which shows minimal difference between the proposed development and a permitted six-storey building at the same location, as well as highlighting that the separation between the buildings means no shadows for that portion of the site. The subject site is located on the south side of Oblats Avenue, which means shadows fall to the north progressing from west to east throughout the day. In June, the shadows just barely reach the The Corners on Main project at 141 Main Street (The Corners) between 8 am and 9 am only. The remainder of the day the increased shadow impacts extend to the future properties to be developed by Regional Homes on the east side of Deschâtelets Avenue. In March/September and December shadows fall on the rooftop of The Corners at 8am, but then progress

eastward so no shadows from the proposed building reach The Corners after 12 am. Between 10 a.m. and 12 a.m., reduced shadow impacts from the permitted building envelope are expected on The Corners as a result of the 21-metre separation between the proposed 2A and 2B buildings.

6. Concern with air quality, traffic impacts and access from Oblats Avenue and trucks using lay-bys.

Response: The subject site is adjacent to three roads, Main Street, Oblats Avenue and Deschâtelets Avenue. Accesses are discouraged from Main Street as this is a designated Traditional Mainstreet where the priority is on pedestrian movements and minimizing curb cuts. Deschâtelets Avenue is a narrow road frontage on a curve furthest from the proposed commercial units and so Oblats Avenue is the logical location for the access to parking areas. The Transportation Impact Assessment submitted as part of the application concluded that additional trips generated by the proposed development will have no significant impact on the operating conditions. The lay-bys are intended to provide a pick-up/drop-off area for residents of the building and facilitate deliveries to the site without obstructing traffic. Detailed design of the lay-by will be finalized through the site plan process.

7. Concern with privacy and noise impacts from rooftop terrace.

Response: Rooftop amenity area has been revised to remove the kitchen and indoor seating areas originally proposed. Amenity area has been set back from all edges of the building to minimize overlook and privacy issues. Issues of noise of individuals are governed under applicable by-laws and if there are issues with behaviour related to those, by-law services can be contacted to review.

8. Concern with parking between the buildings, preference that it be green space.

Response: Section 3.6.3 of the Official Plan speaks to surface parking in Traditional Mainstreet designations avoiding interruption of building continuity along the Mainstreet and minimizing impact on pedestrians. The proposed location of the surface parking provides a break between the building, which improves the light and shadowing impacts on properties to the north while also providing a service area central to the two buildings that removes interruption from Oblats Avenue and permits pedestrian circulation from the future public park to Oblats Avenue. Parks and open space provision within the Greystone

Subdivisions were determined through the Plan of Subdivision process, which dedicated a new public park and a 30-metre corridor of publicly accessible open space along the Rideau River.

9. Concern with view impact towards Deschâtelets building and negative impact on its cultural value. Additional height will overcrowd the Deschâtelets building.

Response: Views are not protected elements in the *Planning Act* of Ontario. Visibility itself does not constitute undue adverse impact from a proposed development. The Deschâtelets building is approximately 100 metres from the subject site and low-rise built form on the east side of Deschâtelets Avenue will assist in transitioning to adjacent park space and the Deschâtelets building. The built form has been revised to provide stepbacks and design changes as described above. The Cultural Heritage Impact Statement submitted with the proposed development concluded that the buildings are an appropriate 'fit' and respect the designated cultural landscape.

10. Concern with reduction to green space and the land should be made a park.

Response: The park and open space components of the Greystone Village development were determined through the previous Plan of Subdivision process. While initially the development indicated a reduction of landscaped open space from 30% to 25%, it was determined that the existing zoning does not contain a requirement for landscaped open space and so the amendment to this provision is no longer required.

11. Concern with additional units. The target minimum densities have been already exceeded by the development. If more density was required, it should have been done elsewhere.

Response: Residential units have increased from the originally contemplated number for the subject site and commercial space has decreased. This has been reviewed in the Transportation Study which concluded that there is no significant impact as a result.

Density targets identified in the Secondary Plan are minimums with no set maximum. While previous Zoning By-law amendments described anticipated unit counts, those were as per the concept at the time.

As each application is submitted, the number of units is reviewed in relation to things such as servicing capacity, compatibility criteria and transportation. However, there are no maximums in terms of density in the Official Plan or the applicable Secondary Plan. Each application for Zoning By-law amendment is reviewed on its merits and with relation to the site and policy context.

12. The building along Main Street is seven storeys, not six.

Response: The building proposed to front on Main Street is six storeys and not part of this subject application.

13. Reduction from 7.5 m to 2.7 m for rear yard will make Oblats a tunnel.

Response: Because the front lot line of the property is Main Street, the rear lot line is that which abuts Deschâtelets Avenue. This is a situation not contemplated in the Zoning By-law and the anticipated impact of a reduction adjacent to the street is minimal. No reduced setbacks at grade are being requested from Oblats Avenue.

14. Domicile followed the rules, so should Greystone/EQ Homes.

Response: The Corners on Main project at 141 Main Street required changes to the Zoning By-law, which were submitted to the Committee of Adjustment as a minor variance application. Each application for Zoning By-law amendment is reviewed on its merits and with relation to the site and policy context.

15. There will be negative impacts on my property value and resale possibilities.

Response: An analysis of property values is outside of the review undertaken by the department as part of planning application process. To date, no evidence has been provided that such OPAs and zoning amendments reduce property values.

16. Developers should not be permitted to receive zoning permissions based on a plan and then apply for another amendment. Objection based on the principle of asking for a change. The amendment represents a breach of trust between the Developer and the Community. What is point of developing restrictions if developers can override them to gain more profits.

Response: An application for Official Plan Amendment and Zoning By-law amendment is permitted under the *Planning Act*. Each application is reviewed on its merits and with relation to the site and policy context.

17. The change in tenure lends itself to student housing which will be loud, poorly maintained, and in constant turnover. A Socio-impact Assessment should be submitted that considers sex, gender, diversity, demographics, age, income and permanency of residence. Concern with renters instead of owners.

Response: The department does not determine tenure or comment on who might live in a development through a planning application review. Issues of property maintenance and noise of individuals are governed under applicable by-laws and if there are issues with behaviour related to those, by-law services can be contacted to review.

18. The increase in residential units of 30 units will reduce the amount of promised commercial space.

Response: It is recognized that the proposed development includes 30 additional residential units and less commercial space than initially anticipated through the plan of subdivision process. However, the proposed development now is what is considered by the department and evaluated on its planning merits.

19. There should be a stepback above the fourth floor along Main Street, stepbacks for upper storeys from Oblats Avenue and the breaking apart of the massing is not more desirable than one building.

Response: The massing of the nine-storey building has been modified to introduce stepbacks above the sixth storey. The proposed development includes a stepback above the first storey for most of the building on Main Street instead of the fourth. The Department's opinion is that the separation between the two proposed buildings is a benefit in terms of impacts related to shadowing, wind, site functionality and access.

20. Bicycle Parking should be increased from 0.5 spaces/unit to 1.0 spaces/unit.

Response: The proposed bicycle parking meets the requirements of the Zoning By-law. The Department will continue to encourage the provision of additional bicycle parking through the Site Plan process.

21. No more buildings above 6 storeys in Greystone. Out of balance with rest of Main Street and Grand Allée. Nine-storeys is out of character with the Old Ottawa East community. There is no justification that nine storeys is more appropriate than six from a planning perspective.

Response: The two buildings have been designed with a 21-metre separation distance between them. The building is setback 6.2 metres from the Grand Allée at grade with varying setbacks above. The shape of the proposed nine storey building with a series of setbacks and stepbacks minimizes impacts on adjacent spaces. The proposed development has been reviewed with reference to the existing policy context. The review is not a comparison as to whether six or nine storeys is more appropriate, but it is a review of the specific development application submitted within the policy context and with information provided to determine whether it represents good planning without undue adverse impact and without offending other policies contained within the Old Ottawa East Secondary Plan and Official Plan.

22. No density is being added, so units must be large and unaffordable. Application doesn't address affordable housing.

Response: Residential units have increased from the originally contemplated number for the subject site. Regulating the availability of specific space such as affordable housing is outside the scope of the Zoning By-law. The policies of the Official Plan advocate for a diversity of housing types for liveable communities.

23. City has failed to advertise the Official Plan amendment properly as the sign does not show the extent of the Official Plan Amendment or indicate the date for comments to be submitted.

Response: The sign adjacent to 10 Oblats was modified to reflect the Official Plan Amendment relevant to the site. An additional sign was put up adjacent to the property at 4 Mann Avenue, where part of the site is designated as Mixed-Use Medium-rise. The Ward Councillor, Registered Community Groups and all property owners within 120-metre radius of the lands designated as Mixed-Use Medium-rise were notified through a mail-out. The mail out indicated the date for comments to be submitted, but this is not included on development application signage.

24.4 Mann Avenue should not be part of this application.

Response: Through further review, the Department has recommended a change to Mixed Use Medium-rise lands specific to Greystone Village within the Old Ottawa East Secondary Plan, so no change is recommended to part of 4 Mann Avenue.

25. The impact on sites outside of 10 Oblats Avenue of the Official Plan Amendment is significant.

Response: The recommendation seeks to clarify policies. No change to the existing Zoning By-law is proposed outside of the site-specific Zoning By-law amendment.

26. Unclear how height restriction surrounding the Deschâtelets building is maintained.

Response: No change is proposed to the Zoning By-law for lands surrounding the Deschâtelets building. Lands there are still subject to zoning with a height restriction of 83.7 metres above sea level.

27. It should be known how much Regional is making off this project and what their contributions are towards affordable housing and social development.

Response: The Department does not review the financial information of a private company through a development application. Regulating the availability of specific space such as affordable housing is outside the scope of the Zoning By-law. The park and open space components of the Greystone Village development were determined through the previous Plan of Subdivision process.

28. The city should consider the potential for Airbnb and related companies to flourish in the building, as there is concern with this.

Response: The applicant has indicated that the owner's intention is to include a restriction on Airbnb rentals within their rental leases.

29. A Cumulative Effects Assessment should be done to reference the economic, social, environmental, and health aspects of this development.

Response: As part of the Zoning By-law Amendment and Site Plan Control applications, a planning rationale, urban design review panel submission, site

plan, landscape plan, servicing plan, site survey, record of site conditions, grading plan, geotechnical report, design statement, elevations, floor plans, Phase 1 and 2 Environmental Site Assessments, tree conservation plan, servicing and stormwater report, wind study, noise study, sun and shadow study, cultural heritage impact statement and transportation impact assessment have all be submitted and reviewed. The Official Plan grants the Department the ability to require certain plans and studies through development applications.

30. Light for trees that line the Grand Allée will be blocked by height south of them.

Response: The trees are located south of the subject property and shadows move generally from west to east. Shadowing impacts of the proposed development are to the north of the site on Oblats Avenue. A Tree Conservation Plan has been submitted as part of the development applications including protection measures and the building has been set back 6.2 metres from the property line in order to better protect the existing trees.

31. Strain on infrastructure with additional units.

Response: The servicing, grading and stormwater plans submitted as part of the application have been reviewed in order to ensure that infrastructure can adequately support the proposed development.

32. Section 1.1.3.6 of the Provincial Policy Statement (PPS) references compact form. The proposed development is not compact in terms of vertical area.

Response: In the context of the PPS, the reference to compact form is to allow for the efficient use of land, which is commonly done through taller buildings that require less surface area.

33. Section 4.7 of the PPS references the Official Plan as the most important vehicle for implementation of the PPS. Developers should not be permitted to amend the Official Plan, including Secondary Plans as it undermines the entire purpose.

Response: The subject application for an Official Plan Amendment is permitted under the *Planning Act*. The proposed development has been reviewed within the policy context and with information provided and determined to represent good planning without undue adverse impact.

Community Organization Comments and Responses

Letter regarding the Zoning By-law Amendment Application

This letter is provided in response to the resubmission of plans for 10 Oblats Avenue. Specifically, it outlines the Old Ottawa East Community Association's concerns regarding the updated proposal, along with a response to Novatech's letter dated August 20, 2018 related to the conformity of the proposal to the Old Ottawa East Secondary Plan and the Community Design Plan. This letter also addresses the Community's concerns with the proposed roof-top projections and the planning rationale for proposing a non-conforming building.

With respect to the building height, the Old Ottawa East Community Association continues to strongly hold the view that a nine-storey development does not conform to the OOE Secondary Plan and CDP.

Specifically, Novatech states in their letter dated August 20, 2018, that "Building 2B falls within the "Mixed Use Medium-rise" designation." We agree with Novatech that Building 2B is within the Mixed-Use Medium-rise designation.

We also agree with Novatech that Policy 4 of Section 10.2.1 Land Use and Design Policies of the Secondary plan states (emphasis added): 2 "Building heights within the low-rise area will not exceed four storeys, and in the medium-rise area will not exceed nine storeys."

Policy 4 of Section 10.2.1 clearly references specifically to the "low-rise area" and the "medium-rise area". It is important to note that the term "medium-rise area" is a category, not a planning designation. The medium-rise area referred to in Policy 4 includes both a designation which permits a maximum of nine storeys (the Residential Medium Rise designation), as well as a designation which permits a maximum of six storeys (the Mixed-use Medium Rise designation). It is incorrect to assume that, because one designation within the medium-rise area permits nine storeys, all designations within the medium-rise area permit nine storeys. Furthermore, it is clear that the reference to the 'medium-rise area' is in the singular, not plural. The statement references the medium-rise area in the singular, specifically because it is referring to only one of the two designated medium-rise land use areas, namely the Residential Medium-rise designation.

If the intention of Policy 4 of Section 10.2.1 was to apply to both the Residential Medium-rise and Mixed-Use Medium-rise designations, the wording would have referred to the medium-rise areas in the **plural** (and not the singular as it does). This is important, as there is only one low-rise designation, while there are two medium-rise designations. In other words, if the intention were to allow up to nine stories in both of the medium-rise areas, the statement would have read “*Building heights within the low-rise area will not exceed four storeys, and in the medium-rise areass will not exceed nine storeys.*”

It is therefore clear from Policy 4 of Section 10.2.1 of the Secondary Plan that a maximum building height of nine storeys is permitted only in the single medium-rise land use designation referenced, namely the “Residential Medium-rise” designation. It is therefore reasonable to conclude that building heights of greater than six storeys, or 20m, are not permitted in the Mixed-Use Medium-rise designation.

The letter from Novatech makes the claim that Policy 4f of Section 10.3.4 of the OOE Secondary Plan is “is of no relevance to the application for rezoning for 10 Oblats”. The Old Ottawa East Community Association is of the view that this section is very much relevant to the 10 Oblats application as it very clearly outlines which specific medium-rise designation is intended to support building heights greater than six storeys, namely the Residential Medium-Rise designation. In Section 10.3.4, there is no statement referencing a range of building heights from six storeys to nine storeys in the Mixed-Use Medium-rise. If the intention were to allow greater than six storeys in the Mixed-Use Medium-rise designation, it would be specifically mentioned in Policy 4f of Section 10.3.4, just like the statement for Residential Medium-rise.

Section 3.1 of the OOE CDP clearly states the following (emphasis added):

“Notwithstanding the provision for greater building heights in the O.P., **no buildings will be allowed higher than six storeys and 20 metres** other than the limits allowed **within the precincts referred to in Section 3.5 and 3.8** of this Plan.”

The Novatech letter claims, in reference to the above statement in Section 3.1 of the CDP, that “It is reasonable to conclude that the statement applies to lands designated Traditional Mainstreet in the Secondary Plan”. While this statement appears in the Traditional Mainstreet Corridor – Strategy section, it is not reasonable to conclude that it pertains only to lands designed Traditional Mainstreet in the Secondary Plan. In fact, the specific exceptions that the policy references (in Section 3.5) are for lands designed

Residential Medium-rise, not Traditional Mainstreet. It is therefore reasonable to conclude that the policy in Section 3.1 is referencing the Traditional Mainstreet Corridor (one precinct being Section 3.5 – East side of Main Street Springhurst to Clegg) and not the Traditional Mainstreet land designation as Novatech claims.

Section 3.5 of the CDP, referencing the east side of Main Street Springhurst to Clegg precinct, goes on to state the following:

“This precinct has been planned in greater detail due to its potential for redevelopment and the extensive public consultation that ensued as the land owners engaged in the planning process. It extends along Main Street, south of Springhurst, including St. Paul University, the Convent of the Sisters of the Sacred Heart and the property of the Oblate Fathers”

It is clear from the above statement that Section 3.5 is referring to the entire precinct and not just the Traditional Mainstreet land designation.

In addition, Section 3.5 specifically mentions the land use designation where building heights of greater than six stories are permitted, namely the Residential Medium-Rise designation.

If the intention of the CDP was to allow for building heights of greater than six storeys (20m) in the Mixed-Use Medium-rise designation, it is reasonable to expect that would be clearly stated in Section 3.5.

Section 3.5 continues by referencing the demonstration plan and the implementing Zoning By-law:

“A Demonstration Plan has been prepared for this precinct, which is attached as Appendix 1. The Plan illustrates how these lands could be developed over time in conformity with the community’s vision as set out in Section 1.5 of this CDP. While the land may not develop precisely as illustrated its purpose is to provide guidance for the redevelopment of these lands, establish the basis for the preparation of an implementing Zoning By-law, and ensure consistency with the policy framework that follows.”

The implementing Zoning By-law enacted by Council in 2011 was 2011-308. According to By-law 2011-308, the holding zones implemented for the areas referenced as ‘Mixed Use Medium Rise’ in the CDP and Secondary Plan were four zoned GM[1844] **H(20)-h**

(Area F in the map shown in Appendix C, which encompasses the area of the proposed 10 Oblats development) and GM[1842] H(20)-h (Area D).

I Exception Number	II Applicable Zone	Exception Provisions		
		III Additional Land Uses Permitted	IV Land Uses Prohibited	V Provisions
1844	GM[1844] H(20)-h		<ul style="list-style-type: none"> - all uses except existing uses until the holding symbol is removed - animal care establishment - animal hospital - drive through facility - funeral home - service and repair shop - small batch brewery - technology industry 	<ul style="list-style-type: none"> - maximum permitted number of storeys: 6 - all buildings must be mixed-use buildings - non-residential uses may only be located on the ground floor and 2nd storey - cumulative total of all non-residential uses may not exceed 30% of the gross floor area of a mixed-use building - Table 187(g) does not apply - the lands zoned TM7[1840], GM[1842] H(20), R5B[1843], GM[1844] H(20), O1[1845], R3P[1847], R5B[1849], R5B[1852], R5B[1853] / O1[1853], R5B[1854] / O1[1854] are considered one lot for zoning purposes - the holding symbol may not be removed until such time as an application for Site Plan Control has been approved

The implementation zoning for both of Area F and Area D clearly show a height limit of 20 metres, which is in direct alignment with the CDP and Secondary Plan. If nine-storey buildings were permitted by the CDP and Secondary Plan in the Mixed-Use Medium-rise designation as argued by Novatech, then one would reasonably expect the implementation zoning enacted at the same time as the CDP and Secondary Plan to reflect that.

Not only does the implementation zoning clearly indicate that buildings greater than six storeys are not permitted in the area designated as Mixed-use Medium-rise in the CDP and Secondary Plan, it specifically outlines the areas where up to nine storeys are permitted, namely the Residential Medium-rise area. The Residential Medium-rise area where the CDP and Secondary Plan permit up to nine storeys, had implementation zoning clearly reflecting that intention. These are Area E R5B[1843]-h, and Area Q R5B[1854]-h/O1[1854]-h as shown in the map included in Appendix C. Both of these

areas clearly fall only within the Residential Medium-rise and use designation referenced in the Secondary Plan.

I Exception Number	II Applicable Zone	Exception Provisions		
		III Additional Land Uses Permitted	IV Land Uses Prohibited	V Provisions
1843	R5B[1843] -h		- all uses except existing uses until the holding symbol is removed	- required minimum separation distances between buildings are: (i) where the height of abutting buildings is less than or equal to 14.5 m: 1.2 m (ii) in all other cases: 3 m - maximum permitted height of an apartment dwelling mid-high rise: 28 m - the lands zoned TM7[1840], GM[1842] H(20), R5B[1843], GM[1844] H(20), O1[1845], R3P[1847], R5B[1849], R5B[1852], R5B[1853] / O1[1853], R5B[1854] / O1[1854] are considered one lot for zoning purposes - the holding symbol may not be removed until such time as an application for Site Plan Control has been approved

As stated in our letter dated May 2, 2019 (attached), the OOECA had no issues with the Applicant's 2015 ZBL Amendment request for the Block 2B area to be rezoned from GM[1844] H(20)-h provisions to TM[2301] H(20). That was a reasonable enough plan in our eyes, because the important provisions – specifically maximum heights, setbacks, step backs - were essentially maintained and non-residential uses would be permitted on the ground floor further to the east from Main Street.

Based on the above, the OOECA continues to strongly believe that the applicant's request for relief above the six-storey 20-metre height limit should be denied. The Applicant's planning rationale, including the addendum, is clearly inconsistent with the Old Ottawa East Community Design Plan, the Old Ottawa East Secondary Plan and the Official Plan.

In order to avoid future misinterpretations of the Old Ottawa East Secondary Plan, the Old Ottawa East Community Association respectfully requests that the City of Ottawa Planning, Infrastructure and Economic Development Department amend Policy 4 of Section 10.2.1 Land Use and Design Policies of the Secondary plan to clearly indicate

that greater than six storeys are permitted only in the Residential Medium-rise designation:

“Building heights within the **Residential** low-rise area will not exceed four storeys, and in the **Residential** Medium-Rise area will not exceed nine storeys.”

On review of the (13) ‘new’ documents dated 2018-03-26 on the city’s devapp website, the OOECA was not able to find a compelling argument as to why greater than six storeys is required or desirable for building 2B.

The undated Design Statement provided by Hobin Architecture states “The first main move was to create two buildings rather than one.” The single building illustration on page 1 depicts the as of right building envelope with a 20 m maximum height and two building illustrations depicting a similar massing with an assumed 27.5 m height for building 2B. The statement suggests the density is similar, but pedestrians are allowed to move through the site more fluidly with two buildings instead of the “one giant mass”. The OOECA finds this rationale to be misleading and contentious for reasons including the following:

- The OOE CDP and OOE SP policies require north- south connectivity through the new development;
- The March 10, 2011 Open House presentation and the August 2011 CDP Demonstration Plans indicate (3) separate six-storey buildings in what is now referred to as blocks 2A and 2B c/w north-south connectivity;
- Regional provided several Concept Plans and Renderings to the OOECA between May 2014 and February 2017. All indicated (2) to (4) separate buildings with heights no greater than six storeys in what is now referred to as blocks 2A and 2B c/w north-south connectivity;
- Regionals' Oblats Land Redevelopment document dated January 8, 2015 indicates: on page 28 (three) six-storey buildings in what is now referred to as Blocks A and B; on page 38 the expected connectivity between the (three) buildings is illustrated; page 53 indicates where nine storey Residential Medium-rise buildings are to be located; page 54 indicates where the nine storey Mixed Use Medium-rise buildings are to be located.

The OOECA's understanding was and is as expressed at the time of the 2015 Plan of Subdivision Approval, Rezoning and Holding Symbol removal i.e. "...we see the location of the taller buildings in that space (i.e. behind St. Paul University) as appropriate and an acceptable trade-off for the lower profile buildings on the balance of the site...". The OPA 92 policy dictates that the block 2A and 2B buildings must have a maximum height of 20 m / six storeys. Furthermore, the OOECA does not expect or accept any permission which would substantially increase the intensification targets expected for the Oblate Lands and Sacre Coeur lands.

In summary, the OOECA does not believe that changes from conforming buildings to non-conforming buildings initiated by design changes alone is sufficient to justify a change in the permitted zoning, particularly a change in height which is clearly not in conformance with the OOE CDP and OOE Secondary Plan.

With regards the proposed rooftop projections for both building 2A and 2B, we reiterate the concerns indicated in our May 2, 2018 letter, and also note that neither of the requested roof-top projections is formally required through the building code nor are they necessary for the functional operation, use and maintenance of the building.

We do not agree with the addendum rationale presented in Novatech's letter dated August 20, 2018. Indeed 'Things change. Technologies evolve.' However, elevator technicians and mechanical equipment maintenance specialists have been servicing roof top equipment for decades. They have long ago replaced the on-site building superintendents' duties. Washroom facilities need not be located at the roof top level. Gardening supplies need not be stored at the roof top level. These rooms can be provided at the basement level or ground floor level, near where the basement equipment and exterior landscaping maintenance is also a necessity. Including these rooms in a roof top projection detrimentally increases the massing above the permitted height limit.

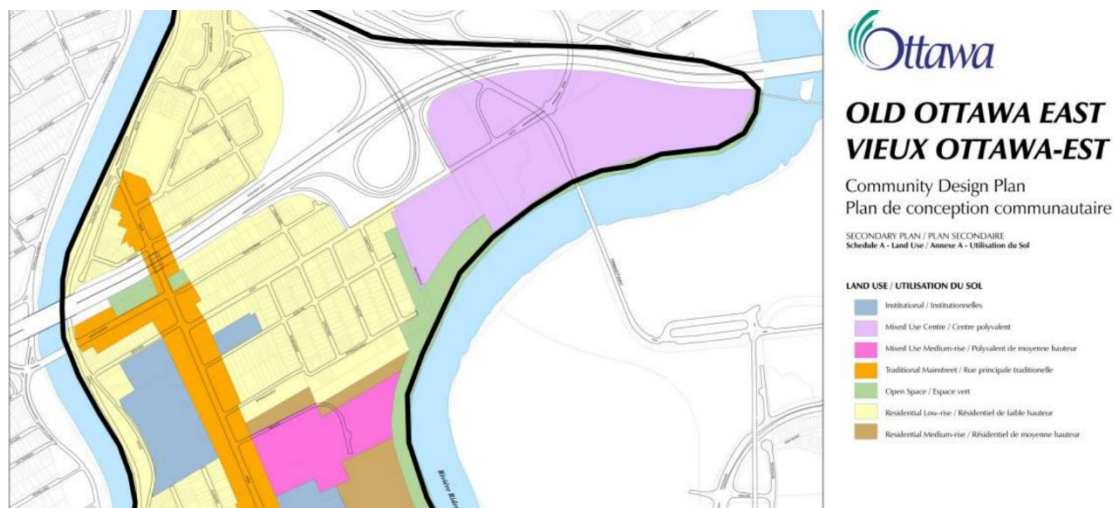
With respect to the rooftop projections for building 2B, we have noted based on the supplied elevation drawings that the projections for building 2B are ~5.1 metres above the roof slab. Notwithstanding the concerns raised above regarding the washrooms and service/storage rooms, we have concerns with what we feel to be the excessive height of the projections for building 2B. With the rooftop projections, the total height of building 2B will be 33.4 metres (28.3 + 5.1). As a comparison, the rooftop projections on building 2A are a more reasonable ~3.8m in height, yielding a

total building height of close to 24 metres (20m + 3.8m). In reviewing the materials provided in the submission, we were unable to find any justification for the excessive height of the rooftop projections on building 2B.

As stated in our letter dated May 2, 2018, the Old Ottawa East Community Association's Planning Committee has not reviewed the application for Site Plan Control Approval (D07-12-18-0040), as we continue to believe this request is premature. We suggest an Official Plan Amendment application is necessary prior to ZBLA and SPCA applications. Clearly 'good planning' requires a thorough vetting of possibilities for 'increased height creep' on Regional property, as well as on the adjacent St. Paul University and Sisters of the Sacred Heart properties.

The Old Ottawa East Community Association respectfully requests that the above comments be considered as you review the requested applications.

APPENDIX A: Land Use Map from the [Old Ottawa East Community Design Plan](#)



OLD OTTAWA EAST
SECONDARY PLAN
Schedule A - Land Use

VIEUX OTTAWA-EST
PLAN SECONDAIRE
Annexe A - Utilisation du Sol

LAND USE / UTILISATION DU SOL

- Institutional / Institutionnelles
- Mixed Use Centre / Centre polyvalent
- Mixed Use Medium-rise / Polyvalent de moyenne hauteur
- Traditional Mainstreet / Rue principale traditionnelle
- Open Space / Espace vert
- Residential Low-rise / Résidentiel de faible hauteur
- Residential Medium-rise / Résidentiel de moyenne hauteur

City of Ottawa Official Plan
Consolidation and Amendments
Ville d'Ottawa Plan officiel
Amendement au plan directeur approuvé

#132
#174

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Ottawa
Date: October 1, 2012 (approx.)
Prepared by: Infrastructure Services and Community Development
Planning Department - Urban Services, Mapping and Geomatics
Produit par: Services de l'infrastructure et du développement communautaire
Département de l'urbanisme et des services géomatiques, cartographie et géomatique

APPENDIX C: BY-LAW NO. 2011-308

By-law No. 2011-308 implemented the holding zoning aligned with the Old Ottawa East Community Design Plan and the Old Ottawa East Secondary Plan (added to the Official Plan as By-law No 2011.309).

Excerpts from the 2011-308 are referenced below:

BY-LAW NO. 2011 - 308

A by-law of the City of Ottawa to amend By-law No. 2008-250 of the City of Ottawa to change the zoning of lands within the Old Ottawa East Community Design Plan area.

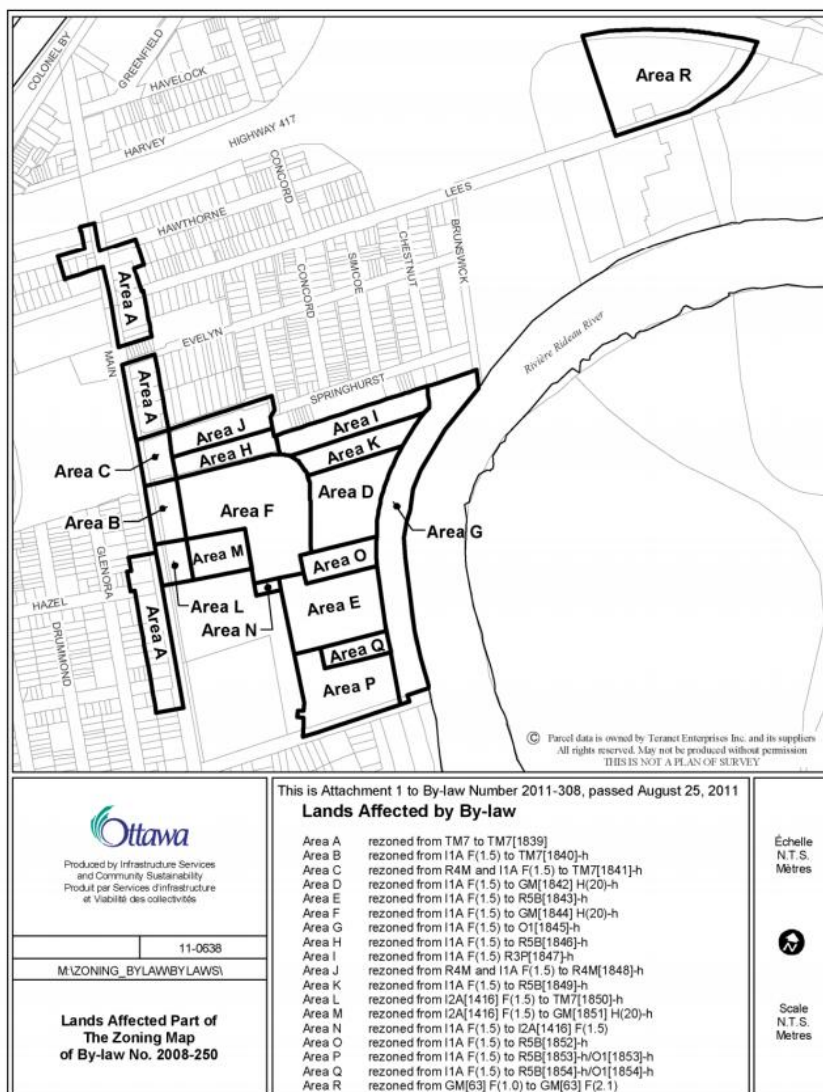
The Council of the City of Ottawa, pursuant to Section 34 of the *Planning Act*, R.S.O.1990, enacts as follows:

1. The Zoning Map of By-law No. 2008-250, entitled the "City of Ottawa Zoning By-law" is amended by rezoning the lands shown on Attachment 1 to this by-law as follows:

- (a) Area A is rezoned from TM7 to TM7[1839]
- (b) Area B is rezoned from I1A F(1.5) to TM7[1840]-h
- (c) Area C is rezoned from R4M to TM7[1841]-h
- (d) Area D is rezoned from I1A[F(1.5) to GM[1842] H(20)-h
- (e) Area E is rezoned from I1A F(1.5) to R5B[1843]-h
- (f) Area F is rezoned from I1A F(1.5) to GM[1844] H(20)-h
- (g) Area G is rezoned from I1A F(1.5) to O1[1845]-h
- (h) Area H is rezoned from I1A F(1.5) to R5B[1846]-h
- (i) Area I is rezoned from I1A F(1.5) R3P[1847]-h
- (j) Area J is rezoned from R4M and I1A F(1.5) to R4M[1848]-h
- (k) Area K is rezoned from I1A F(1.5) to R5B[1849]-h
- (l) Area L is rezoned from I2A[1416] F(1.5) to TM7[1850]-h
- (m) Area M is rezoned from I2A[1416] F(1.5) to GM[1851] H(20)-h
- (n) Area N is rezoned from I1A F(1.5) to I2A[1416] F(1.5)
- (o) Area O is rezoned from I1A F(1.5) to R5B[1852]-h
- (p) Area P is rezoned from I1A F(1.5) to R5B[1853]-h/O1[1853]-h
- (q) Area Q is rezoned from I1A F(1.5) to R5B[1854]-h/O1[1854]-h
- (r) Area R is rezoned from GM[63] F(1.0) to GM[63] F(2.1)

I Exception Number	II Applicable Zone	Exception Provisions		
		III Additional Land Uses Permitted	IV Land Uses Prohibited	V Provisions
1844	GM[1844] H(20)-h		<ul style="list-style-type: none"> - all uses except existing uses until the holding symbol is removed - animal care establishment - animal hospital - drive through facility - funeral home - service and repair shop - small batch brewery - technology industry 	<ul style="list-style-type: none"> - maximum permitted number of storeys: 6 - all buildings must be mixed-use buildings - non-residential uses may only be located on the ground floor and 2nd storey - cumulative total of all non-residential uses may not exceed 30% of the gross floor area of a mixed-use building - Table 187(g) does not apply - the lands zoned TM7[1840], GM[1842] H(20), R5B[1843], GM[1844] H(20), O1[1845], R3P[1847], R5B[1849], R5B[1852], R5B[1853] / O1[1853], R5B[1854] / O1[1854] are considered one lot for zoning purposes - the holding symbol may not be removed until such time as an application for Site Plan Control has been approved

As highlighted in the Zoning Map below, the subject property is contained within Area F. The zoning applied to this Area at the time the that Old Ottawa East Secondary Plan was officially amended to the Official Plan, clearly sets the 20m / six-storey height limit.



Response:

The department appreciates the extent of the comments on this application from the Ottawa East Community Association. With regard to concern about roof-top projections, the rooftop amenity area has been revised to remove the kitchen and indoor seating areas originally proposed. Amenity area has been set back from all edges of the building to minimize overlook and privacy issues. The applicant has indicated that the washroom and service room are a necessary element to the functionality of the

amenity space and mechanical equipment. The necessary height of the projection can be reviewed further through the site plan control process.

Through further review, the applicant has submitted an Official Plan Amendment to clarify policies related to the Old Ottawa East Secondary Plan and height limits associated with the Mixed-Use Medium-rise designation.

The application for Official Plan amendment has been circulated, reviewed and a recommendation made to Planning Committee and Council concurrently with the Zoning By-law amendment. Ultimately, the recommendations made on Planning applications are generally based on a review of relevant planning policies, context, and potential associated impacts from a proposed development, and not on which processes are triggered.

Letter regarding the Official Plan Amendment Application

The Old Ottawa East Community Association has reviewed this proposed Official Plan amendment and wishes to register our strong opposition to this proposal.

The possibility of a nine-storey building at Block 2B, within a Mixed-Use Medium-Rise designation was contained in a motion for a zoning by-law amendment scheduled to go before Planning Committee on March 28, 2019. The Old Ottawa East Community Association objected to that proposal on the grounds that the request for a nine-storey building in a Mixed-Use Medium-Rise designation was based on a technicality. We requested that the Official Plan be amended to correct the uncertainty that led to this lack of clarity. We were pleased to note that the Developer decided to withdraw the request for a nine-storey building in the Mixed-Use Medium-Rise designation and would seek a change in the Official Plan. However, instead of adding clarity, the proposed Official Plan Amendment will justify the proposed nine-storey building and will enable the construction of additional buildings with a maximum of nine storeys throughout a zone that was intended for a maximum of six storeys.

We recommend that you not approve this proposed amendment for the following reasons.

1. The proposed change is not what the community wants, nor does it reflect what the community has envisioned throughout the preparation of these plans. The Community of Old Ottawa East, the City, the institutional landowners, i.e., the Missionary Oblates of Mary Immaculate (the Oblate Fathers) and the Sisters of

the Sacred Heart of Jesus (the Sisters), collaborated prior to 2011 to produce a vision for the Community, with a particular emphasis on the precinct currently known as Greystone Village. The resulting Community Design Plan, which was approved in 2011, envisioned the buildings between Main St and the Deschatelet Building as being not higher than the Deschatelet Building, so as to not detract from the view of that historic building, nor from the natural grandeur of the Grande Allée. The desire of the Community and the institutional owners at the time was to preserve the views of the Deschatelets Building and the Grande Allée. If the proposal for nine storey buildings between Main St and the Deschatelets Building is approved, it will devastate those views.

2. The developer is suddenly changing position on the proposed height of buildings on these particular lands. The initial zoning was established in 2011. The current owner of these lands, Regional Group, requested zoning changes in 2015, but left the zoning designation for these lands unchanged. Promotional material prepared by the developer, and often reproduced by the press, has consistently illustrated six-storey buildings on these lands, as did the original 3-D concept display in their presentation centre. More than 300 individuals and families have recently purchased new houses in this precinct based, in part, on existing zoning and promotional material prepared by Regional Group.

Now, after four years of leaving this zoning unchanged, the developer wants to change the Official Plan to allow the construction of nine storey buildings in front of the iconic, historical Deschatelets Building.

3. A major objective of planning is to create certainty. In 2011, the chair of the Planning Committee sought, and received assurances from City Staff that this particular development would not be subject to requests for planning changes, and that buildings of up to nine storeys would be permitted only where they were indicated on the demonstration plan i.e., behind the Deschatelets Building. On April 26, 2012, Mayor Watson said “we need greater predictability and certainty when it comes to development in our City. There are just too many surprises that upset local neighbourhoods when zoning changes”. If this type of spot zoning change is permitted, it destroys any assurance of certainty. Many communities throughout the City are requesting or undertaking Community Design Plans (CDPs) and associated secondary plans (SPs) because these become part of the City’s Official Plan, and are, in principle, much more difficult to change. If the

Planning Committee agrees to this change to a relatively new component of the Official Plan, they will destroy any hopes of the planning process ever providing certainty.

4. The unease with nine storey buildings between Main St and the Deschatelets Building is not only felt by the community, but is shared as well by the planning experts of the Urban Design Review Panel, which reviewed the proposal for a six storey building close to Main St with a nine story building closer to the Deschatelets building, at site 2B, on July 4 of 2018, and concluded, "The Panel suggests that a symmetry of height would likely better frame the Grande Allée, and the Panel has some concerns, in terms of relatability with the heritage context, with the proposed height of nine stories for Building 2B." A further expression of the Panels concern about the proposed nine storey build is found in their comment "The Panel suggests reducing the architectural contrast between Buildings 2A and 2B, and instead establish a stronger dialogue between the two buildings". It is not only the members of the Community, but planning experts as well, that have concerns with a nine-storey building at block 2B

As stated in our letters of May 2, 2018 and January 16, 2019, the Community believes that the justification for permitting buildings of up to nine storeys in a Mixed Use Medium Rise designation is based on a technicality arising from the fact that the text did not specify that there are two zoning designations contained within the medium rise category of zoning designations, only one of which permitted a maximum of nine storeys. One of the reasons we requested an Official Plan change was to fix that anomaly. We suggest that the wording of Sec 10.2.1.4 of the Old Ottawa East Secondary Plan be changed to read "Building heights within the low-rise area will not exceed four storeys, ~~and in the medium rise area will not exceed nine storeys~~ (those in the Mixed-Use Medium-Rise ~~area~~ ((designation)) will not exceed six storeys,)and those in the (Residential) Medium-Rise ~~area~~ (designation) will not exceed 9 storeys." This change will clarify that all lands currently designated as Mixed-Use Medium-Rise are zoned for a maximum of six storeys only, thus better expressing the views of the Community and the institutional land owners.

In conclusion, we urge you to consider the expressed wishes of the Community and the institutional landowners, the previously expressed interpretation of the developer, the need for certainty in planning decisions, and the concerns of the planning experts on the Urban Design Review Panel and reject this proposed change to the Official Plan. We

further urge you to consider the Community's proposed revised wording for the Official Plan.

Response:

An application for Official Plan amendment and Zoning By-law amendment are permitted under the *Planning Act*. Each application is reviewed on its merits and with relation to the site and policy context. The Department has reviewed the specifics of the development proposal including the shape of buildings proposed, the specific setbacks, stepbacks, separation, and relationship between the development and surrounding context, the policy context as well as supporting plans and studies and concluded that the development is in the public interest and represents good planning.

The Urban Design Review Panel is an independent advisory panel that provides advice to the Department with respect to development projects within Design Priority Areas. The panel's advice resulted in several changes to the proposed design as detailed in the report. The advice provided by the Panel is balanced with the policy context, site context, and feedback provided through the circulation process from internal and external contacts in order to ultimately provide a Departmental recommendation.

The department agrees that language in Section 10.2.1.4 has resulted in varying interpretations of height permissions within the medium-rise area. The resulting staff recommendation on the Official Plan Amendment is based on the policy and site-specific context to permit a range of building heights in the Mixed-Use Medium-rise designation within Greystone Village.

Document 6 – Site Plan

