

**3. Official Plan and Zoning By-law Amendment – 16 and 20 Hamilton Avenue North**

**Modification au Plan officiel et au *Règlement de zonage* – 16 et 20, avenue Hamilton Nord**

**Committee Recommendations, as amended**

**That Council approve:**

- 1. an amendment to the Wellington Street West Secondary Plan, of the Official Plan, for 16 and 20 Hamilton Avenue North to permit an eight-storey mixed-use building, as detailed in Document 2;**
- 2. an amendment to Zoning By-law 2008-250 for 16 and 20 Hamilton Avenue North to permit an eight-storey mixed-use building, as detailed in Document 3, as amended by the following:**
  - that Document 3 – Details of Recommended Zoning, paragraph 2. a) be revised by replacing the word “facing” with “closest to”;**
- 3. that, pursuant to the *Planning Act*, subsection 34(17), no further notice be given.**

**Recommandations du Comité, telles que modifiées**

**Que Conseil approuve :**

- 1. la modification du Plan secondaire de la rue Wellington ouest, du Plan officiel, visant les 16 et 20, avenue Hamilton Nord, afin de permettre la construction d'un bâtiment polyvalent de huit étages, comme l'indique le document 2;**
- 2. la modification du Règlement de zonage (n° 2018-250) visant les 16 et 20, avenue Hamilton Nord, afin de permettre la construction d'un bâtiment polyvalent de huit étages, comme l'indique le document 3, dans sa version modifiée par ce qui suit :**

- que le paragraphe 2(a) du document 3 (détail du zonage recommandé) soit révisé pour remplacer « faisant face à » par « située le plus près de »;
3. qu'en vertu du paragraphe 34(17) de la *Loi sur l'aménagement du territoire*, qu'aucun nouvel avis ne soit donné.

Documentation / Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated June 14, 2019 (ACS2019-PIE-PS-0040)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 14 juin 2019 (ACS2019-PIE-PS-0040)

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 14 June 2019  
Soumis le 14 juin 2019**

**Submitted by  
Soumis par:  
Lee Ann Snedden  
Director / Directrice**

**Planning Services / Services de la planification  
Planning, Infrastructure and Economic Development Department / Direction  
générale de la planification, de l'infrastructure et du développement économique**

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**Ward: KITCHISSIPPI (15)**

**File Number: ASC2019-PIE-PS-0040**

**SUBJECT: Official Plan and Zoning By-law Amendment – 16 and 20 Hamilton  
Avenue North**

**OBJET: Modification au Plan officiel et au *Règlement de zonage* – 16 et 20,  
avenue Hamilton Nord**

## REPORT RECOMMENDATIONS

That Planning Committee recommend Council approve:

1. An amendment to the Wellington Street West Secondary Plan, of the Official Plan, for 16 and 20 Hamilton Avenue North to permit an eight-storey mixed-use building, as detailed in Document 2.
2. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 16 and 20 Hamilton Avenue North to permit an eight-storey mixed-use building, as detailed in Document 3.
3. 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 10 July 2019," subject to submissions received between the publication of this report and the time of Council's decision.

## RECOMMANDATIONS DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil d'approuver :

1. la modification du Plan secondaire de la rue Wellington ouest, du Plan officiel, visant les 16 et 20, avenue Hamilton Nord, afin de permettre la construction d'un bâtiment polyvalent de huit étages, comme l'indique le document 2.
2. que le Comité de l'urbanisme recommande au Conseil d'approuver la modification du Règlement de zonage (n° 2018-250) visant les 16 et 20, avenue Hamilton Nord, afin de permettre la construction d'un bâtiment polyvalent de huit étages, comme l'indique le document 3.
3. 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.

## BACKGROUND

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

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

### Site location

16 and 20 Hamilton Avenue North

### Owner

United Food and Commercial Workers International Union Local 175 Building

### Applicant

Dan Nixon on behalf of Surface Developments

### Architect

Project One Studio Inc.

### Description of site and surroundings

The site is municipally known as 16 and 20 Hamilton Avenue North and is located in the West Wellington Community, more specifically, on the west side of Hamilton Avenue North, directly opposite of the Parkdale Park and Market. The nearest major intersection is Wellington Street West and Parkdale Avenue, to the south-east of the site.

The total area of the site is 1,138 square metres. The site is currently used for surface parking and storage, and a single-storey building exists on site, presently used as a workers' union office. The site is surrounded by a six-storey apartment building to the north, converted single detached dwellings to the west, and a number of commercial and automotive uses exist to the south of the site.

## **Summary of requested Official Plan and Zoning By-law amendments proposals**

The applicant is proposing an eight-storey apartment building containing a total of 75 dwelling units and up to three ground floor retail/office areas. The building also features exterior balconies and a communal rooftop terrace, to provide amenity space, and gradually steps back from both the front and rear lot lines above the ground floor. Parking for the development is proposed in an underground garage accessed from Hamilton Avenue. A total of 63 parking spaces are proposed within 21 parking stalls through the use of stack parking technology. Parking space allocation includes 49 resident spaces, eight visitor spaces, and six retail/office parking spaces. Forty bicycle parking spaces will be provided.

The applicant is wishing to amend the Wellington Street West Secondary Plan to allow two additional storeys. Relief will also be required for the following zoning provisions:

1. An increased maximum building height of 27.5 metres, whereas the prevailing zoning on the property applies a 20.0-metre maximum building height limit.
2. A reduced minimum communal amenity area of 46.5 per cent of the total minimum amenity area, whereas 50 per cent of the minimum required amenity area must be communal under the Zoning By-law.

## **DISCUSSION**

### **Public consultation**

A public consultation was held on December 11, 2018 at the Hintonburg Community Centre, where the applicant, Councillor Leiper and his staff, community association representatives, Planning staff and about 10 local residents attended.

Community association representatives and local residents showed appreciation to the proposed design while expressing concerns with setting a precedent by allowing more height than envisioned in the West Wellington Street Secondary Plan.

For this proposal's consultation details, see Document 4 of this report.

### **Official Plan designations**

According to Schedule B of the Official Plan, the property is designated as a Mixed-Use Centre. Mixed-Use Centres occupy strategic locations on the O-Train network and act as central nodes of activity within their surrounding communities and through the city as

a whole. These centres are a critical element in the City's growth management strategy, being areas with potential to achieve high densities and mixed-use development oriented to rapid transit. More jobs and housing at these centres will increase transit ridership and draw more commuter travel to these locations.

Mixed-Use Centres will permit a broad variety of land uses at transit-supportive densities, such as offices, secondary and post-secondary schools, hotels, hospitals, large institutional buildings, community recreation and leisure centres, daycare facilities, retail uses, entertainment uses, services (such as restaurants), high- and medium-density residential-uses and mixed-use development containing combinations of the above.

### **Other applicable policies and guidelines**

Section 4.11 of the Official Plan discusses Urban Design and Compatibility. In particular, it addresses the essential requirements to incorporate good quality design which fits the context and neighbourhood in the present and as it is intended to grow. Policy 12 under this section specifies that building transitions can be accomplished through incremental changes in height (stepping building profile up or down); massing (incorporating podiums); character (scale and rhythm); architectural design (angular plane); and building setbacks.

#### **Wellington Street West Secondary Plan**

According to schedule A – Land-Use of the Wellington Street West Secondary Plan, the property is designated as a Mixed-Use Centre. It is also designated as Parkdale Park under Schedule B - Specific Policy Area.

Policy 7 under the Mixed-Use Centre Area policies states that the ground floor area of commercial uses proposed by new infill development shall be comparable to nearby mainstreet areas to support small-scale commercial operations and to discourage large format retail uses.

Policy 9 states that the maximum building height for all new buildings on Hinton and Hamilton Avenues, between Wellington and Armstrong Streets, will be six storeys or 20.0 metres.

Wellington Street West Community Design Plan

Sub-Policy A6a under Policy 3.5.4 Design Policies A. Built Form states that building façades shall create a continuous built edge and must face directly onto Parkdale Park to establish a strong surrounding frame for the park and market, for example:

- Side-by-side building façades should not be more than 3.0 metres from each other regardless if located on the same or different properties to ensure no large gaps between buildings that may create a void in the block façade.
- Ground floor building setbacks will be a maximum of 3.0 metres from the property line to encourage pedestrian animation to the street, including provision of: extra patio space or sidewalk space; but not for the display or storage of goods/merchandise, equipment, etc.

Sub-Policy A6b under Policy 3.5.4 Design Policies A. Built Form states that built form at the rear of buildings shall provide a transition to abutting residential uses on Hinton Avenue. Architecture should ensure:

- Massing is broken down with details that provide an appealing façade that echoes a residential land use character versus a wide, monolithic and bland west façade.
- Massing and design provide adequate sun penetration and sky exposure for adjacent residential areas.

Sub-Policy A8a under Policy 3.5.4 Design Policies A. Built Form states that redevelopment in the mixed-use area bounded by Spencer/Wellington/Holland/Parkdale fronting onto the public streets, will have a minimum ground floor setback of 2.0 metres and minimum building stepback of 2.0 metres above the third storey, when building height is over four storeys. An attractive, pedestrian-scaled building base, streetscape, and appropriate street-to-height ratio close to 1:1, for example, are important features in the future of this part of the mixed-use area.

Sub-Policy A8b under the same Policy states that redevelopment in this same area will maintain a rear yard setback of 3.0 metres for the first three storeys and 7.5 metres above the third storey to minimize impacts on adjacent properties and ensure a liveable built form environment.



## **Urban Design Review Panel**

The property is within a Design Priority Area and the Zoning By-law amendment application was subject to the Urban Design Review Panel (UDRP) process. The applicant presented their proposal to the UDRP at an informal review meeting, which was not open to the public.

The informal review meeting for the Zoning By-law amendment application was held on April 5, 2019.

The formal review meeting for the Site Plan Control application will be held at a later date.

The applicant agreed with the inclusion of the comments from the informal meeting, as detailed in this report.

The Panel's recommendations from the informal review of the Zoning By-law amendment application were:

### **Summary**

- The Panel appreciates the design thinking of this building and is particularly supportive of the relationship between this building and the adjacent Surface Development, as well as its overlook to the park across the street.
- There is however some concern from the Panel with respect to the mass of the building on this site, as it pushes the envelope in terms of height, and setback. The result is a building that is handsome, however imposing on the surrounding buildings, and causing implications on future development opportunities on adjacent properties.
  - The Panel asks that the applicants come back to the Panel for formal review with some modifications to the proposal to address these concerns.

### **Architectural Details**

- The Panel appreciates the overall design concept of a building that acts as a backdrop to the park. Specific design elements supported by the Panel include the use of metal mesh on the façade, ground related retail space designed to be proud of the entrance, the pairing of the lobby with the lobby of the building

next door, and striking a nice balance between responding to datum lines of the building next door but still distinguishing the aesthetic.

- The Panel appreciates the visual benefit provided by the deep balconies but advises that the extended overhangs and the opaque railings limit the amount of natural light in the interior spaces.
  - Consider sandblasted glass as opposed to fibre cement balcony guards. Coat the slab edges to ensure a high-quality aesthetic.
  - Perhaps reduce the amount of screening on the front façade given the attractive park located across the street.
- The white bands are identified as a concern as they affect the vertical proportions on the front elevation. The Panel prefers the use of metal mesh as it is a lighter expression and adds translucency to the streetscape.
- The Panel suggests considering Juliette balconies at the top floors of the rear elevation in order to achieve a transition to a sky view when looking up.

#### **Parking Structure**

- The Panel is concerned that the stacked parking relationship is too tight to the rear lot line and advises reducing the impact of the parking structure. Look at removing the back portion of the structure, possibly by staking the cars differently, or lowering the structure to one storey of stacked parking.
  - The Panel considers there to be a negative impact on the rear neighbours, despite the fact that the space is not occupied.
  - There is concern that the extension into the rear yard will set a precedent on this block.

#### **Replicability**

- The Panel is concerned about the creation of a canyon effect on the block, if the proposed rear yard setback is replicated elsewhere. One consideration is to shift density toward the street, establishing a stronger streetwall, and then stepping back more at the rear of the building to allow more light into the units, and establish an appropriate rear yard setback.

- The Panel notes that the setback above the third floor on the front façade does not provide much benefit for this design scheme. Whereas if the entire rear façade shifts back to the setback above the fourth floor, there would be benefits to surrounding properties.
- The Panel is concerned that the project represents over building the lot. One option is to reduce the depth of the units by removing the dens in order to reduce the overall floorplate.
  - Also consider cutting back above the fourth floor on the sides, to allow space between this building and the adjacent lot, thus allowing more light into the top two units on the east and west sides.
- The Panel suggests capping the building at the 20-metre limit required in the Official Plan, in order to not set a precedent of over development in this area.
  - One idea to lower the height of the building is to reduce the at-grade floor height from 6.0 to 3.0 metres, as this height should be sufficient for the functionality of the small ground level retail space.

#### **Landscape and Public Realm**

- The Panel suggests bringing in more greenery to the scheme and lessening the impacts on neighbours by adding planters along the rear façade. This will allow for plants spilling over and cascading down the back of the building.

The Panel advises careful consideration of the location of wood hydro poles, hanging transformers, gas metres, etc., to prepare a precise landscape plan that responds to the immediate context.

The Panel was successful in aiding in the implementation of the following:

Increase the rear yard setback to 3.0 metres and the rear setbacks to 7.5 metres for storeys four and five, which were initially proposed to be respectively 1.25 metres and 6.8 metres.

This change will avoid the creation of a canyon effect on the block should similar rear yard setback is replicated elsewhere.

In addition to the increased rear yard setback and setbacks, given the building setbacks will significantly exceed the zoning requirements above the fifth storey at the

rear and at all storeys at the front, therefore compensate for the additional two storeys by redistributing the building mass, staff is not concerned that the proposed development would set a precedent or be considered over development.

## **Planning Rationale**

### **Official Plan**

The proposed development aligns with the City's growth management strategy and is consistent with the Mixed-Use Centre designation in that it will achieve high density and represents compact and mixed-use development in proximity to rapid transit.

It is also in keeping with Policy 12 of Section 4.11 of the Official Plan that discusses building transition by stepping back the building profile at its front and rear façades.

### **Secondary Plan**

The proposed development is consistent with Policy 7 under the Mixed-Use Centre Area policies of the Wellington Street West Secondary Plan in that it will provide small-scale commercial operations at the ground floor comparable to the nearby mainstreet area.

### **Community Design Plan**

As previously mentioned, the Wellington Street West Community Design Plan (CDP) states that redevelopment in the Mixed-Use Centre area (MUC) bounded by Spencer/Wellington/Holland/Parkdale will have a minimum ground floor setback of 2.0 metres and a minimum building setback of 2.0 metres above the third storey, when building height is over four storeys. It also states that an attractive, pedestrian-scaled building base, streetscape, and appropriate street-to-height ratio close to 1:1 are important features in the future of this part of the mixed-use area. The MC16 zoning of the property reflects the same performance requirements in terms of setback and setback.

The Wellington Street West CDP also states that where a building height exception is proposed, the building separation of opposite facing front façades is encouraged to maintain a 1:1 street-to-height ratio, considered a comfortable sense of enclosure for a mainstreet environment.

### Front setback and stepbacks

The proposed building will be providing a ground floor setback of 2.0 metres along with stepbacks (from the ground floor wall) of 3.45 metres at the second storey, 2.55 metres at the third and fourth storeys, 3.95 metres at the fifth and sixth storeys, and 6.0 metres at the seventh and eighth storeys. While the required front yard setback will be complied with, the building stepbacks will significantly exceed the requirement.

### 1:1 street-to-height ratio

With regards to the street-to-height ratio, considering that the Hamilton Avenue North right-of-way is 18.3 metres wide, and with consideration of the required 2.0-metre setback, the total street width is expected to be 22.3 metres. The seventh and eighth storeys will be setback 9.0 metres from the front property line, which, if mirrored to the other side of the street, would represent a width of 36.3 metres.

### 45°Angular Plane

In addition to the street-to-height ratio being respected, the additional storeys beyond the sixth floor will not be encroaching upon a 45°angular plane to ensure that the additional massing will not prominently be visible from the opposite sidewalk (at a perpendicular angle).

### Rear yard setbacks

The proposed building will be providing a rear yard setback of 3.0 metres for the ground floor, 6.6 metres for storeys two and three, 7.5 metres for storeys four and five, and 8.9 metres for storeys six to eight.

In addition to meeting the required rear yard setbacks, staff appreciate that the second and third storeys are setback 6.6 metres instead of 3.0 metres. This, as light penetration would be compromised for the ground floor in a scenario where as-of-right three-storey (9+ m in height) back to back developments would be built on both the subject and rear properties at the required minimum rear yard setback of 3.0 metres, for a total separating distance of 6.0 metres.

### Building mass

Staff are of the opinion that the height increase can be justified by the relief in mass resulting from the building stepbacks. More specifically, the stepbacks will significantly

exceed the zoning requirements above the fifth storey at the rear and at all storeys at the front, therefore compensating for the additional two storeys by redistributing the building mass.

#### **Area context**

With respect to the surrounding context, there are existing eight-storey residential apartment buildings to the north, more specifically on Spencer Street, at its intersections with Holland and Parkdale Avenues.

There is also a 12-storey mixed-use building to the south, the Irving Greenberg Theatre Centre. More specifically, it is located at the north-east corner of Wellington Street West and Holland Avenue North. An eight-storey residential apartment building is also located immediately to the north of the Irving Greenberg Theatre Centre.

Given the foregoing, it is the department's position that the applicant's proposal represents a development that is compatible with the existing built context.

#### **Communal amenity area**

Staff has no issues with the reduced communal amenity as the 3.5 per cent relief is minor in nature and will still allow for an area that meets the intent of the by-law while providing for a functional space. Furthermore, Parkdale Park, a substantial public amenity area, will be located immediately across the street.

#### **Provincial Policy Statement**

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

#### **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

#### **COMMENTS BY THE WARD COUNCILLOR**

Councillor Leiper provided the following comments:

"Since its approval, the Wellington West secondary plan has provided residents considerable certainty with respect to what may be built in our neighbourhood. Unlike older plans elsewhere, it was crafted in the full context of the arrival of LRT, as well as

the City's intensification plans. I am able frequently to cite the success of the Wellington West secondary plan when discussing the need for up-to-date, defensible plans.

If Council supports this application, it will be reversing several years of good planning. The secondary plan has seen very tall, very dense buildings go into the ward where those make sense, and anticipates significant intensification. The planning battles in areas of the ward where older plans are now out-dated have been minimized in this area because of staff and Council's defence of the plan.

Residents, if this application is approved, will have reason to further doubt whether there is any point to participating in planning exercises. The developer purchased this property in the knowledge of what the carefully crafted plan is for the neighbourhood. That plan is still relevant. There is no public interest to be served by this over reach."

## **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 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 matter appealed to the Tribunal, it is anticipated that the appeal can be conducted within staff resources. Should the application be refused, reasons must be provided. In the event of an appeal of a refusal, an external planner would need to be retained.

## **RISK MANAGEMENT IMPLICATIONS**

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

## **ASSET MANAGEMENT IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications associated with the approval of the zoning amendment. In the event the zoning amendment is refused and appealed, an external

planner would be retained. This expense would be absorbed from within Planning, Infrastructure and Economic Development's operating budget.

### **ACCESSIBILITY IMPACTS**

No accessibility barriers are anticipated. Proper accessibility will be ensured through Site Plan Control Approval and Building Code review.

### **ENVIRONMENTAL IMPLICATIONS**

Environmental implications will be assessed through the Site Plan Control Approval process.

### **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

Healthy and Caring Communities

- HC1 - Advance equity and inclusion for the City's diverse population
- HC3 - Create new and affordable housing options

Economic Prosperity

- EP3 Support growth of local economy

### **APPLICATION PROCESS TIMELINE STATUS**

This application was processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications.

### **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Official Plan Amendment

Document 3 Details of Recommended Zoning

Document 4 Consultation Details



## **CONCLUSION**

Staff are of the opinion that the proposed development, although exceeding the envisioned height, provides a sensitive design approach that achieves a desired and compatible built form for the area. The proposed development will also contribute to ensure a full range and choice of housing types, create jobs and add services in the neighbourhood and in proximity to transit.

## **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

For an interactive Zoning map of Ottawa visit [geoOttawa](http://geoOttawa)

This map shows the two properties located at 16 and 20 Hamilton Avenue North that are subject to the Official Plan and Zoning By-law amendments.



**Document 2 – Details of Recommended Official Plan Amendment**

**Official Plan Amendment XX to the**

**Official Plan for the**

**City of Ottawa**

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Purpose

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Basis

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2. Details of the Amendment

#### **PART C – IMPLEMENTATION AND INTERPRETATION**

## **THE STATEMENT OF COMPONENTS**

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

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

## **PART A – THE PREAMBLE**

### **Purpose**

To allow a site-specific exemption from the maximum building height of six storeys or 20.0 metres under Section 11.3.3 Parkdale Park Area Policies of the Wellington Street West Secondary Plan to allow a maximum building height of eight storeys.

### **Location**

16 and 20 Hamilton Avenue North.

### **Basis**

### **Background**

**The applicant is proposing an eight -storey apartment building containing a total of 75 dwelling units and up to three ground floor retail/office areas.**

### **Rationale**

### **Background**

**The applicant is proposing an eight -storey apartment building containing a total of 75 dwelling units and up to three ground floor retail/office areas.**

### **Rationale**

### **Official Plan**

The proposed development aligns with the City's growth management strategy and is consistent with the Mixed-Use Centre designation in that it will achieve high density and represents compact and mixed-use development in close proximity to rapid transit.

It is also in keeping with Policy 12 of Section 4.11 of the Official Plan that discusses building transition by stepping back the building profile at its front and rear façades.

### **Secondary Plan**

The proposed development is consistent with Policy 7 under the Mixed-Use Centre Area policies of the Wellington Street West Secondary Plan in that it will provide small-scale commercial operations at the ground floor comparable to the nearby mainstreet area.

The proposed building setbacks will compensate for the additional two storeys by redistributing the building mass.

#### Front setback and setbacks

The ground floor setback of the proposed building will be 2.0 metres. This, accompanied with setbacks (from the ground floor wall) of 3.45 metres at the second storey, 2.55 metres at the third and fourth storeys, 3.95 metres at the fifth and sixth storeys, and 6.0 metres at the seventh and eighth storeys, will create an appropriate transition. The proposal will also comply with the required front yard setback.

#### 1:1 street-to-height ratio

With regards to the street-to-height ratio, considering that the Hamilton Avenue North right-of-way is 18.3 metres wide, and with consideration of the required 2.0-metre setback, the total street width will be 22.3 metres. The seventh and eighth storey will be setback 9.0 metres from the front property line, which, if mirrored to the other side of the street, would represent a width of 36.3 metres.

#### 45° Angular Plane

In addition to the street-to-height ratio being respected, the additional storeys beyond the sixth floor will not be encroaching upon a 45° angular plane to ensure that the additional massing will not prominently be visible from the opposite sidewalk (at a perpendicular angle).

#### Rear yard setbacks

The proposed building will be providing a rear yard setback of 3.0 metres for the ground floor, 6.6 metres for storeys two and three, 7.5 metres for storeys four and five, and 8.9 metres for storeys six to eight.

In addition to meeting the required rear yard setbacks, staff appreciate that the second and third storeys are setback 6.6 metres instead of 3.0 metres. This, as light penetration would be compromised for the ground floor in a scenario where as-of-right three-storey (9+ m in height) back to back developments would be built on both the subject and rear properties at the required minimum rear yard setback of 3.0 metres, for a total separating distance of 6.0 metres.

## **PART B – THE AMENDMENT**

### **1. Introduction**

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

### **2. Details**

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

3. Paragraph 11.3.3 10. of the Wellington Street West Secondary Plan is replaced with the following text:

Notwithstanding paragraph 11.3.3. 9 the properties at 16 and 20 Hamilton Avenue North are permitted to develop with a maximum building height of eight storey or 27.5 metres.

4. Paragraphs 11.3.3 10 to 14 of the Wellington Street West Secondary Plan now become 11 to 15.

5. What now becomes Paragraph 11.3.3 12 of the Wellington Street West Secondary Plan has the following text:

Notwithstanding paragraph 11.3.3.11. the property at 233 Armstrong and 3 Hamilton is permitted to develop with a Floor Space Index that is generally equivalent to an eight-storey building without being subject to a maximum height limit of eight-storeys (27 m). [OMB Order # PL110686, March 16, 2015]



## **PART C – IMPLEMENTATION AND INTERPRETATION**

### **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 changes to the City of Ottawa Zoning By-law No. 2008-250 for 16 and 20 Hamilton Avenue North:

1. To rezone the lands shown in Document 1 from MC16 H(20) to MC16[XXXX] H(27.5)
2. Add a new exception, [XXXX], to Section 239 – Urban Exceptions with provisions similar in effect to the following:

a) Add to Column V, Provisions, the text:

- “- maximum building height: 27.5 m;
- minimum building setback above the 2nd storey from a wall ~~facing~~ closest to (amended per Motion No PLC 2019 10/3) the front lot line: 2.5 m;
- minimum building setback above the 4th storey from a wall ~~facing~~ closest to (amended per Motion No PLC 2019 10/3) the front lot line: 3.9 m;
- minimum building setback above the 6th storey from a wall ~~facing~~ closest to (amended per Motion No PLC 2019 10/3) the front lot line: 6 m;
- minimum rear yard setback for storey 1:3 m;
- minimum rear yard setback for storeys 2 and 3:6.6 m;
- minimum rear yard setback for storeys 4 and 5:7.5 m;
- minimum rear yard setback for storeys 6 to 8:8.9 m;
- minimum communal amenity area: 46.5% of the total minimum amenity area;
- a mezzanine is not considered a storey as long as its maximum floor area is equal or less than 230 m<sup>2</sup>, it does not occupy more than 8 m of the width of the front façade, the balance needing to be setback a minimum of 6 m from the closest front wall to the front property limit.”

## **Document 4 – Consultation Details**

### **Notification and Consultation Process**

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. Twelve written submissions were received, and one public information session was held in the community on December 11, 2018.

### **Public Comments and Responses**

#### **Comment**

Local residents and community association representatives expressed their concerns that allowing increased building height will create a precedent for future development throughout the area.

#### **Response**

The applicant's planning consultant explained that the proposed design is sensitive to its context while in keeping with the envisioned built-form for the area as it provides several stepbacks at different levels, which setbacks have been significantly increased at the higher storeys.

#### **Comment**

Local residents expressed their concerns with the proposed density not being in keeping with the neighbourhood.

#### **Response**

Staff indicated that the Official Plan encourages high density and compact development in close proximity to rapid transit.

#### **Comment**

Local residents expressed their concerns that the proposed density and number of parking spaces would worsen the existing traffic congestion problem.

**Response**

Staff indicated that due to the proximity of rapid transit, not all future occupants are expected to use their car for commuting during the work week.

**Comment:**

The proposed design reflects desirable design for the area.

**Response:**

The comment was well received by the applicant's team.