

5. Zoning By-law Amendment – 246 Gilmour Street
Modification au Règlement de zonage – 246, rue Gilmour

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 246 Gilmour Street to permit a six-storey apartment building, as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification au *Règlement de zonage* (n° 2008-250) concernant le 246, rue Gilmour, pour permettre l'aménagement d'un immeuble d'appartements de six étages, comme l'explique en détail le document 2.

Documentation/Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated June 15, 2020 (ACS2020-PIE-PS-0062)

Rapport du Directeur, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 15 juin 2020 (ACS2020-PIE-PS-0062)

2. Extract of draft Minutes, Planning Committee, June 25, 2020

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 25 juin 2020

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
25 June 2020 / 25 juin 2020**

**and Council
et au Conseil
15 July 2020 / 15 juillet 2020**

**Submitted on 15 June 2020
Soumis le 15 juin 2020**

**Submitted by
Soumis par:**

Douglas James,

Acting Director / Directeur par intérim

Planning Services / Services de la planification

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

Contact Person / Personne ressource:

Andrew McCreight, Planner III / Urbaniste III, Development Review Central /

Examen des demandes d'aménagement centrale

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Ward: SOMERSET (14)

File Number: ACS2020-PIE-PS-0062

SUBJECT: Zoning By-law Amendment – 246 Gilmour Street

OBJET: Modification au *Règlement de zonage* – 246, rue Gilmour

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 246 Gilmour Street to permit a six-storey apartment building, as detailed in Document 2;**
- 2. That Planning Committee approve the Consultation Details Section of this**

report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* 'Explanation Requirements' at the City Council Meeting of 15 July 2020", subject to submissions received between the publication of this report and the time of Council's decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au *Règlement de zonage* (n° 2008-250) concernant le 246, rue Gilmour, pour permettre l'aménagement d'un immeuble d'appartements de six étages, comme l'explique en détail le document 2;
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation, en tant que « brève explication », dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes de la *Loi sur l'aménagement du territoire*, à la réunion du Conseil municipal prévue le 15 juillet 2020 », 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

Staff Recommend Approval

This report recommends that Council approve amendments to Zoning By-law 2008-250 for 246 Gilmour Street to permit the development of a six-storey apartment building containing 22 dwelling units. The development provides one visitor/car-share space off Lewis Street, and an internal bicycle storage room with 18 bicycle parking spaces. The design incorporates two communal rooftop terraces accessed through the mechanical penthouse level.

The requested Zoning By-law amendments include rezoning the site to a Residential Fifth Density Zone, Subzone G (R5G) and site-specific performance standards through a new urban exception [xxxx] and Schedule 'YYY'. Details include permitting a

maximum building height of six storeys, reduced parking, reduced lot width, lot area and yard setbacks, reduced amenity area, increased walkway widths, permitting a stacked bicycle parking system, and relief from the Heritage Overlay.

Applicable Policy

The proposed development is consistent with the Official Plan, Centretown Secondary Plan and Centretown Heritage Conservation District. The site is designated as General Urban Area (3.6.1) in the Official Plan, which permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances. Section 4.6.1 (Heritage Buildings and Areas) provides direction for development within a Heritage Conservation District (HCD). The application included a Cultural Heritage Impact Statement and staff are satisfied that the proposed building does not have an adverse impact on the Centretown HCD. The proposed development is consistent with policies 2.2.2, 2.5.1 and 4.11 of the Official Plan and represents a good example of infill and intensification that respects the area character and planned function.

The Centretown Secondary Plan designates the site residential within a mixed-use area and permits a maximum building height of nine-storeys.

Public Consultation / Input

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications.

During application review approximately 10 individuals/groups provided comments. Majority of the comments were opposed to the development and expressed concerns regarding sunlight, privacy, building height, parking, zoning relief, and not meeting the heritage overlay.

RÉSUMÉ

Approbation recommandée par le personnel

Dans le présent rapport, on recommande au Conseil d'approuver la modification du *Règlement de zonage* (n° 2008-250) concernant le 246, rue Gilmour, pour permettre l'aménagement d'un immeuble d'appartements de six étages et 22 logements. L'aménagement offrirait une place de stationnement pour visiteur ou autopartage sur la rue Lewis, et une salle d'entreposage intérieure pour 18 vélos. Le concept prévoit deux

terrasses communes sur le toit, accessibles à partir du même étage que la cabine de machinerie.

La modification du *Règlement de zonage* demandée vise notamment à faire passer le zonage du site à une « zone résidentielle de densité 5, sous-zone G » (R5G) et à y appliquer des normes de rendement propres au site par l'introduction d'une exception urbaine [xxxx] et d'une annexe yyy. Plus précisément, il est question de permettre une hauteur maximale de six étages pour le bâtiment, de réduire le nombre de places de stationnement exigées, la largeur, la superficie et les retraits de cour du lot, ainsi que les aires d'agrément, d'accroître la largeur des allées piétonnières, de permettre l'aménagement d'un système de stationnement superposé pour bicyclettes, et de retirer le site du secteur désigné à valeur patrimoniale.

Politique applicable

L'aménagement proposé est conforme au Plan officiel, au Plan d'aménagement secondaire du Centre-ville et aux critères du district de conservation du patrimoine du centre-ville. Sa désignation dans le Plan officiel, « zone urbaine générale » (3.6.1), permet l'aménagement de tout un éventail de types d'habitations qui répondent aux besoins des gens, quels que soient leur âge, leur revenu et leur situation. L'article 4.6.1 (Bâtiments et régions historiques) décrit comment doivent être aménagés les districts de conservation du patrimoine (DCP). La demande comprend une étude d'impact sur le patrimoine culturel, et le personnel est convaincu que le bâtiment proposé n'aura pas d'effet néfaste sur le DCP du centre-ville. L'aménagement proposé est conforme aux politiques 2.2.2, 2.5.1 et 4.11 du Plan officiel et constitue un bon exemple d'aménagement intercalaire et de densification dans le respect du caractère et de la fonction prévue du secteur.

Dans le Plan d'aménagement secondaire du Centre-ville, le site est désigné résidentiel et fait partie d'une zone polyvalente. La hauteur maximale de bâtiment permise est de neuf étages.

Consultation publique / commentaires

Un avis a été donné, et une consultation publique a eu lieu, conformément à la Politique d'avis et de consultation publique approuvée par le Conseil pour les demandes d'aménagement.

Environ 10 personnes et groupes ont formulé des commentaires à l'étape d'examen de la demande. La majorité s'opposait à l'aménagement, invoquant des arguments en lien

avec la lumière naturelle, l'intimité, la hauteur du bâtiment, le stationnement, la dérogation au zonage et le non-respect des critères du secteur désigné à valeur patrimoniale.

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

246 Gilmour Street

Owner

Epcon Enterprises Ltd.

Applicant

Teresa Thomas (Novatech)

Architect

Robertson Martin Architects

Description of site and surroundings

The subject site is a through-lot located mid-block between Metcalfe Street and Elgin Street, with frontage on Gilmour Street to the north and Lewis Street to the south, in the Centretown neighbourhood of Somerset Ward (14). The property is approximately 390 square metres in size and is currently vacant.

The surrounding area contains a mix of land uses and variety of built forms and building heights. Across the street to the north is a 12-storey office building. East of the site is Elgin Street Public School and Jack Purcell Park. Immediately south of the site is a low-rise office (High Commission of the Federal Republic of Nigeria), with a variety of low- and mid-rise residential buildings further south. Abutting the site to the west is a low-rise apartment in close proximity with minimal setbacks.

Summary of proposed development

The applicant is proposing a six-storey apartment building containing 22 dwelling units.

One visitor/car-share space is provided off Lewis Street, and an internal bicycle storage room provides 18 bicycle parking spaces. The design incorporates two communal rooftop terraces accessed through the mechanical penthouse level.

Summary of requested Zoning By-law amendment proposal

The subject site is currently located in a Residential Fourth Density zone, Subzone T, Urban Exception 479 (R4T [479]), which permits a wide mix of residential buildings from detached to low-rise apartments (four storeys). The property is also subject to the Heritage Overlay provisions.

The applicant proposes to rezone the subject lands to Residential Fifth Density, Subzone G (R5G) with site-specific exceptions. Details of the recommended rezoning include the following:

- Rezone the site from R4T [479] to R5G [xxxx] SYYY
- Urban Exception [xxxx] includes provisions addressing the following:
 - Reduced minimum lot width from 18 metres to 12.5 metres;
 - Reduced minimum lot area from 540 square metres to 385 square metres;
 - Reduced setbacks from Gilmour Street and Lewis Street to 1.5 metres and zero metres, respectively, whereas 3.0 metres is required;
 - Reduced interior side yard setbacks to 1.2 metres, whereas a range of 1.5 metres, 6.0 metres and 7.5 metres is required;
 - Define a maximum building height of six-storeys (19.5 metres) through the new Schedule 'YYY', as well as minimum yard setbacks and stepback after the third storey along Gilmour Street;
 - Reduced residential parking from five spaces to zero;
 - One visitor parking is required; however, the one provided parking space is permitted for use as either visitor or car-share parking;
 - Reduce the percentage of landscaped area from 30 percent to 18 percent;
 - Reduced amenity area of 114 square metres, whereas 132 square metres is required;

- Exempt the new building from the Heritage Overlay;
- To permit increased walkway widths greater than 1.8 metres, including up to 2.5 metres; and
- To permit a stacked bicycle parking system accessed from a 1.2 metres aisle, where as an aisle of 1.5 metres is required.

Brief history of proposal

The proposed development has not been previously considered by Planning Committee or Council. However, in 2008 a proposed development on the site for a four-storey apartment was refused by the Committee of Adjustment for minor variances associated with reduced lot width, reduced lot area, and relief from the Heritage Overlay as the proposed building was not of the same construction compared to a demolished building formerly on the site. The decision was appealed to the Ontario Municipal Board (OMB) (now known as Local Planning Appeal Tribunal), case PL080047, and subsequently granted approval. The westerly side yard setback relating to the apartment was of particular importance at the hearing. The original design proposed a 0.2 metre interior side yard setback, and through a revised plan the OMB imposed a condition on the approval for a westerly side yard setback to be a minimum of 0.933 metres. The decision refers to the revision being made to allow for more light. While this decision has no bearing on the current application, staff are mindful that the existing context and relationship between the two properties has not changed, and efforts have been made through this application, such as increased setbacks, reflective material and window placements, to ensure a compatible fit on an otherwise tight site.

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications.

The applicant team and owner met with the Centretown Community Association on January 21, 2020 to discuss the proposal details and community interests. Staff did not attend.

During application review approximately 10 individuals/groups provided comments. Majority of the comments were opposed to the development and expressed concerns regarding sunlight, privacy, building height, parking, zoning relief, quality of life and not

meeting the heritage overlay.

For this proposal's consultation details, see Document 5 of this report.

Official Plan designation(s)

The site is located within the General Urban Area designation as shown on Schedule B of the City's Official Plan.

Other applicable policies and guidelines

The Centretown Secondary Plan in Volume 2a of the Official Plan applies. Within this plan, Schedules H1 – Land use, designates the site as residential. Schedule H2 – Maximum Building Height, designates the site as mid-rise with a maximum height of 9-storeys. Annex 1 identifies the site as being located within the Central character area.

The Secondary Plan represents an implementation of the Centretown Community Design Plan (CDP). The vision of Centretown's central character area includes a renewed low-to-mid rise mixed-use neighbourhood dominated by residential uses. The future of this district is dependent on newly proposed developments being built in a manner that is compatible with adjacent developments.

Heritage

The property is located in the Centretown Heritage Conservation District (HCD), which was designated under Part V of the *Ontario Heritage Act* by the City of Ottawa in 1997. The Centretown HCD was designated for its cultural heritage value as a late 19th and early 20th century residential community within walking distance of Parliament Hill. It features a variety of building types including single-detached, semi-detached and row houses and small apartment buildings constructed in the late 19th and early 20th century and is unified by the dominance of red brick and wood.

Urban Design Review Panel

The site is within a Design Priority Area and was subject to the Urban Design Review Panel (UDRP) process. The applicant presented their proposal to the UDRP at a formal review meeting held on March 6, 2020, which was open to the public.

The panel's recommendations from the formal review are provided in Document 6

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

- Improving the side yard relationship with the neighbouring apartment to the west. This was accomplished through recommendations to shifting the core towards the east and notch out parts of the mass on the west facade. With additional notching on the west, the windows were reoriented to avoid directly facing the neighbouring property.
- Incorporating a lighter building material on the west façade to help brighten the space.
- The front entrance was enclosed into a vestibule providing greater visibility and relationship to the street. Lighting of this area at night will be helpful as well.
- The overall architectural expression was simplified, and brick was exclusively used on the Gilmour Street and Lewis Street facades.
- The penthouse level was setback and uses lighter material to avoid emphasizing more height and reducing its visibility.

Some of the panel recommendations were not addressed, such as bringing the ground floor closer to grade and incorporating columnar tree species. The ground floor height is dictated by an engineering requirement to ensure that the storm outlet remains above the backflow benchmark. The site is quite constrained and forestry staff are not confident about tree survival, but hearty shrubs and low-maintenance landscaping have been included in the site design.

The department notes that the recommended Zoning By-law amendment accommodates positive design features recommended by UDRP. All comments will be reviewed further, such as the final materiality and landscaping, and addressed appropriately through the Site Plan Control and Heritage permit applications.

Planning rationale

Official Plan

The proposed development and respective zoning by-law amendments conform to the Official Plan (OP) and are an appropriate form of development that responds to the existing context and supports the planned function of the area.

The site is designated as General Urban Area (Section 3.6.1), which permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstance. Residential intensification through infill will respond to

the existing character to enhance desirable patterns and built form, while also achieving a balance of housing types and tenures. The proposed building is consistent with the street frontage setbacks along Gilmour Street and Lewis. A setback is provided after the third storey along Gilmour Street. A variety of unit sizes are provided, and the building is predominantly designed with the use of red brick and a wood accent at the entrance; characteristic of the area.

Building heights in the General Urban Area are pre-dominantly low-rise, however, the policy notes that heights greater than four storeys will remain in effect where permitted by a Secondary Plan. The Centretown Secondary Plan designates the site as mid-rise with a maximum height of nine-storeys.

Section 2.2.2, Managing Growth, provides policy direction for intensification and acknowledges that denser development, including taller buildings, should be located in areas supported by transit priority networks and areas with a mix of uses. The policy also notes that building heights and densities may be established through a secondary plan. Being in Centretown, the subject site has a broad range of access to a mix of uses and community amenities. It is also located within walking distance of several transit priority corridors with good access to public transit, pedestrian and cycling infrastructure.

Sections 2.5.1 and Section 4.11 of the Official Plan provides policy direction for urban design and compatibility.

Section 2.5.1 of the OP is broad in nature with design objectives such as defining quality spaces, ensuring safety and accessibility, respecting the character of the community, and sustainability. Attention has been made to be mindful of the materiality, colour, glazing and building articulation so that it contributes to the distinctive architectural character of Centretown and its place within the Centretown Heritage Conservation District. The scale and massing are consistent with the surrounding area and the Centretown Secondary Plan. The proposed development has a covered, shared, barrier-free principal entranceway with new landscaping. The proposal provides an appropriate addition to the neighbourhood and fits within the variety of building heights in the immediate vicinity.

Section 4.11 of the OP references the compatibility of new buildings with their surroundings through setbacks, heights, transitions, colours and materials, orientation of entrances, and incorporating elements and details of common characteristics of the area. The proposed setbacks are consistent with residential buildings in the immediate

and surrounding areas, enabling light and air to enter the building. The use of the additional setback along the middle portion of the building uses a lighter reflective material to enhance natural lighting on the adjacent building as much as feasible possible. The prominent building setback along Gilmour Street visually transitions the taller building to the lower building and relates with the adjacent roofline to the west. In addition, red brick is the predominant material used, characteristic of the area. The principal façade and entrance are oriented to Gilmour Street and is accentuated by a garden in the front yard, a walkway leading from the street, lighting and a material change (wood accent) on the front façade beside the walkway leading to the entranceway.

Section 4.3 of the Official Plan demonstrates the City's commitments for establishing maximum requirements for on-site parking and supports reducing or eliminating the minimum parking requirements in developments within 400 metres of the Transit Priority Network, inside the Greenbelt, or within 400 metres of a Traditional Mainstreet, inside the Greenbelt. The Subject site is within 400 metres of six transit priority streets as well as two Traditional Mainstreets.

Section 4.6.1 (Heritage Buildings and Areas) provides direction for development within a Heritage Conservation District. The application included a Cultural Heritage Impact Statement and staff are satisfied that the proposed building does not have an adverse impact on the Centretown HCD. Heritage staff were consulted through the review process and because of comments being satisfactorily addressed, a heritage application for new construction was submitted and will be considered by Planning Committee on the same agenda as this report.

Furthermore, the applicant is also seeking relief from Section 60(1) of the Heritage Overlay. This provision requires any new development on a site subject to the Heritage Overlay to be rebuilt the same as the former buildings massing, scale, location, character, volume, and floor area. The proposed development does not meet the building's setback, height and character of the former two-storey residential building on the site that was demolished in 2003. Staff are satisfied that the proposed building, although larger than the previously existing building, meets the broader Official Plan goals of intensification and is designed in a manner compatible with the Centretown HCD.

Staff are satisfied that the proposed development and amendment conform with the Official Plan. The development is also consistent with the Centretown HCD. The development provides for appropriate infill and intensification on a constrained site

through a building designed to reflect the areas character and provides compatible setbacks consistent with the existing built form.

Secondary Plan

As per the Centretown Secondary Plan, the subject site is located within the Central Character Area. Designated as a location predominantly intended for residential use, a variety of residential uses are permitted, including apartment buildings, and a variety of low- and mid-rise buildings are encouraged. Walking, cycling and transit use are also encouraged, and the plan includes objectives to reduce the number of car-dependent households. Opportunities for expanding car-share programs are supported. Schedule H2 identifies the site as being appropriate for consideration of a nine-storey building. Policy on height also includes that where a building greater than six storeys is proposed adjacent to a property where the maximum height is four storeys or adjacent to significant heritage resources / streetscapes, a stepping of heights or increased setbacks should be provided to achieve an appropriate transition. Given the size of the property, the height was limited to six-storeys.

The proposed apartment conforms to the policies of the Centretown Secondary Plan. While the proposed zoning amendment establishes a building height within the range shown on Schedule H2 (up to nine storeys), the building also has been designed to include a stepback of the building to achieve appropriate relationship to the adjacent building and streetscape experience along Gilmour Street. The apartment building does not contain non-residential uses, which are permitted in the Residential Mixed-Use designation, and the parking space is located at the rear of the building (off Lewis Street) to maintain an attractive and pedestrian friendly neighbourhood. The space has been designed for the possible use of a car-share program, as encouraged by the plan. The proposed building is aligned with the neighbouring building and is situation on the property to provide appropriate interior yard setbacks for light, air and building access.

Proposed Zoning Details

As detailed in Document 2, the proposed Zoning By-law amendment will rezone the site to an R5G zone with a site-specific Urban Exception [xxxx] for various performance standards and new Schedule 'YYY' for setbacks and building height. The following summarizes the planning rationale for the amendments.

- Rezoning to an "R5" zone allows for the permission of a mid-rise apartment building, which is consistent with the Secondary Plan designation and permitted

building height. The proposed height is limited to six-storeys as this represents a better fit and compatible height on the site and within the surrounding context.

- The lot area and lot size are fixed as this is a vacant lot. The proposed development, a through-lot with frontage on two streets, has demonstrated a design that results in site functionality and appropriate setbacks. The development is a good example of infill and intensification on an underutilized site without causing any undue adverse impacts on adjacent properties.
- The yard setbacks are consistent with the street frontage conditions, and the westerly interior side yard setback provides for enough room between the proposed building and existing building on the neighbouring property to ensure the space is functional and employs efforts to ensure access to light. Window placements have been designed to address privacy and direct alignment between the buildings.
- The proposed Schedule 'YYY' secures the stepback along Gilmour Street above the third storey, maximum building height, and additional side yard setback through the middle portion of the building.
- Given the central location and support in the Official Plan and Secondary to reduce or eliminate parking, the reduction of five required parking spaces to zero is supported. The site is in close proximity to two Mainstreets (Bank Street and Elgin Street), and is well supported by public transit, pedestrian and cycling infrastructure.
- The one provided parking space is designed for use as either a visitor space or car-share service and meets the intent and purpose of the Zoning By-law and is consistent with the Secondary Plan. The area is also well served by on-street parking and public parking lots.
- The through-lot condition is the primary reason for the reduced landscaped area, where the property does not have the typical rear yard setback which typically accounts for majority of the landscaped area provided. Allowing the building to have a street presence on both frontages continuing the urban wall is encouraged, and the site has been designed to maximize landscaping around the perimeter of the building as much as possible.
- The reduced amenity area is minor in nature and is partially driven by the through-lot condition (no rear yard), but more importantly the rooftop terraces

have been designed with generous setbacks to avoid any overlook.

- The Zoning By-law does not yet recognize stacked bicycle parking systems for deficiencies such as the bicycle parking space dimension, but they have proven to be a successful means of adding more parking spaces while maintaining functionality and use. The recommended zoning provisions allows for the use a stacked system. Further, the basement also has 22 storage lockers, one for each unit, which could also serve as an informal bicycle parking area.
- Walkway width increases are supported to recognize the principal building entrance design with a barrier-free ramp, and another location in the westerly interior yard where the 1.2 metres walkway jobs to align with the rear access increasing the width to 2.5 metres. Neither walkway has an impact on the overall site design or soft landscaping.
- Exemption from the Heritage Overlay is required to allow this scale of development, which is supported by the Secondary Plan and Centretown HCD. Heritage staff support the new construction, and despite the heritage overlay not applying, the new building will remain subject to the Centretown HCD.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2014 and 2020 Provincial Policy Statements.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Catherine McKenney provided the following comment:

"This proposal represents a positive development on a currently underused site in the downtown core. I am supportive of the proposed parking strategy, as the site is highly walkable and is well-serviced by bus routes on Elgin and Bank. Urban infill developments should provide minimal parking and prioritize car-sharing initiatives.

This project proposes a range of unit sizes, from studios to 2-bedrooms. This mix of unit sizes presents opportunity for a diversity of tenants, which is a positive addition to the downtown area."

ADVISORY COMMITTEE(S) COMMENTS

No comments were provided from an advisory committee.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

The new building will be required to meet the accessibility criteria contained within the *Ontario Building Code*. While Site Plan applications do not approve interior spaces of buildings, the applicant has adequately demonstrated that the proposed building is accessible, including common entrances, corridors and amenity areas, and some units are required to be barrier-free. Staff have no concerns about accessibility impacts

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Thriving Communities

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number D02-02-19-0140) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications due complexities in the review process and coordinating the timing with the Urban Design Review Panel and Heritage application submission.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Schedule 'YYY'

Document 4 Proposal Images

Document 5 Consultation Details

Document 6 Urban Design Review Panel Recommendations

CONCLUSION

The proposed development introduces intensification through a mid-rise apartment building and utilizing the existing services, infrastructure and transit in a manner which conforms to the Provincial Policy Statement, Official Plan, Secondary Plan and Heritage Conservation District. The setbacks and design of the façades are similar to or consistent with the surrounding buildings, and the proposed development has regard for the cultural heritage value of the Centretown Heritage Conservation District. The fifth- and sixth-storeys are concentrated to the rear of the site furthest from Gilmour Street by incorporating stepbacks after the third storey and the development fits within the existing and planned context. The Zoning By-law amendment is recommended for approval.

DISPOSITION

Council and Committee Services, Office of the City Clerk to notify the owner; applicant; Krista O'Brien, Program Manager, Tax Billing & Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

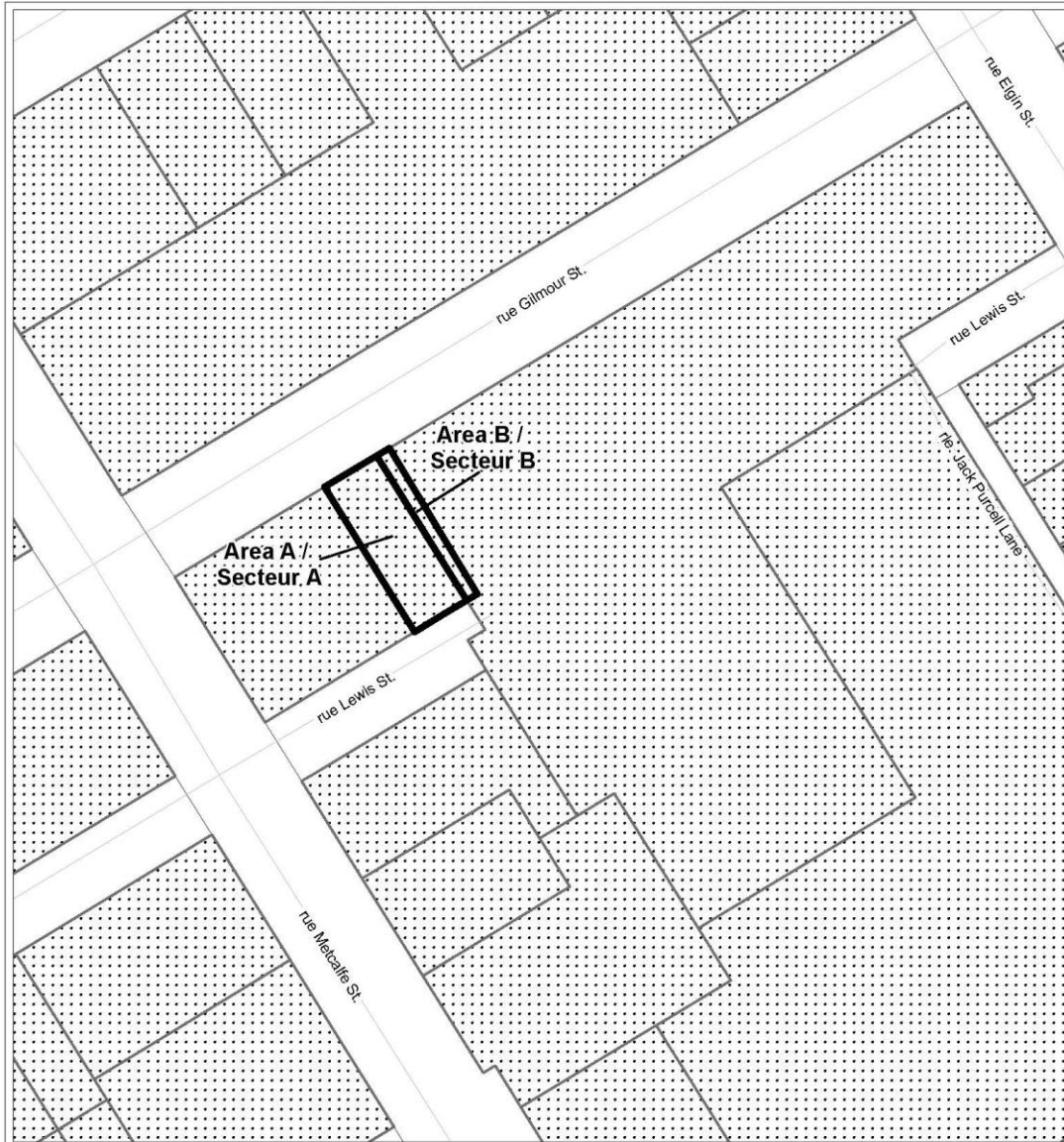
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.





Legal Services, Innovative Client Services Department to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE 246 rue Gilmour Street	
D02-02-19-0140	20-0386-D	 Area A to be rezoned from R4T[479] to R5G[XXXX] SYYY Le zonage du secteur A sera modifié de R4T[479] à R5G[XXXX] SYYY Area B to be rezoned from I1A to R5G[XXXX] SYYY Le zonage du secteur B sera modifié de I1A à R5G[XXXX] SYYY	 Heritage (Section 60) Patrimoine (Article 60)
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<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers All rights reserved. May not be produced without permission THIS IS NOT A PLAN OF SURVEY</small>		Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) / Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)	
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REVISION / RÉVISION - 2020 / 05 / 20			

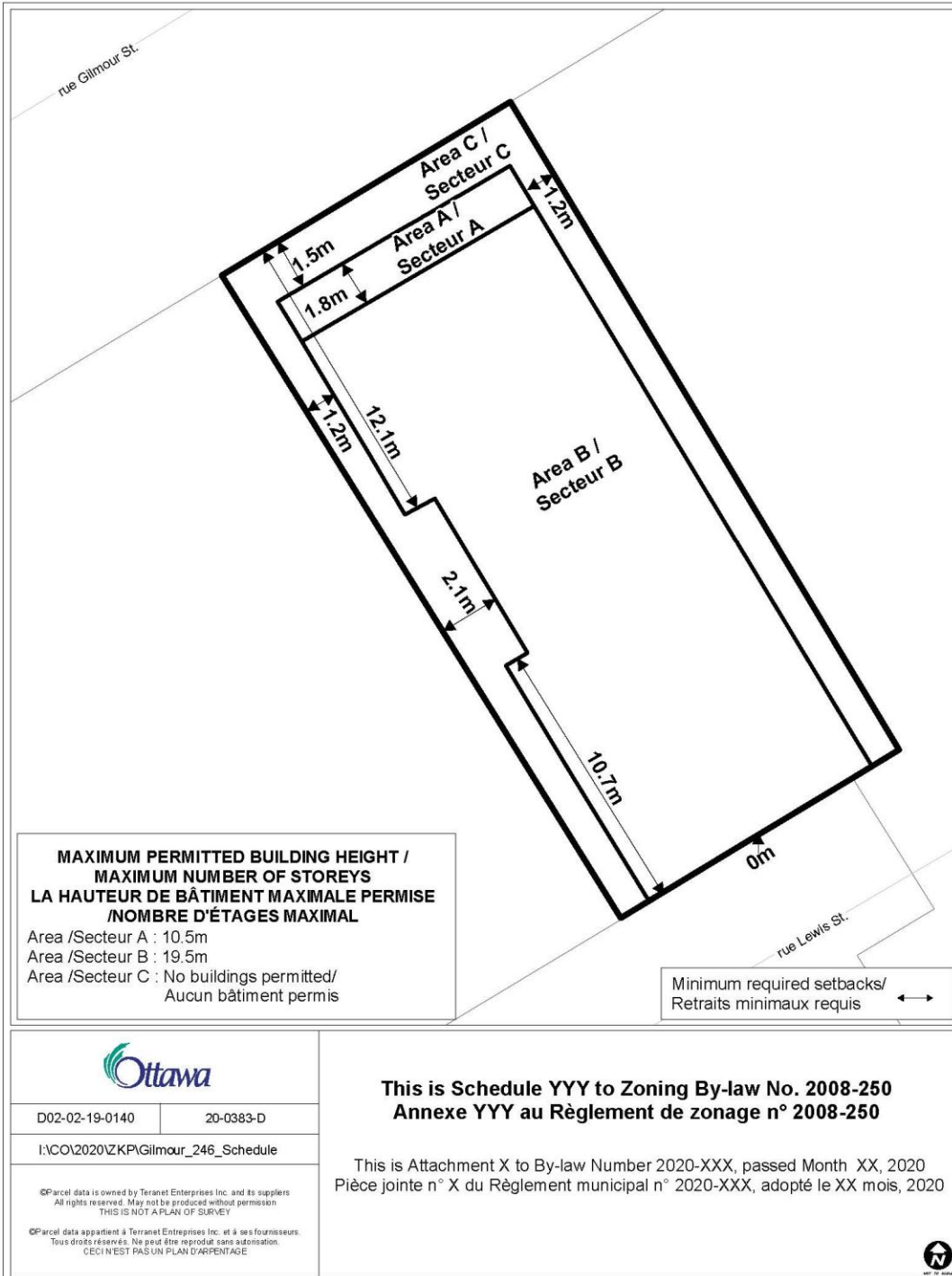
Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 246 Gilmour Street are as follows:

1. Rezone the lands as shown on Document 1 from R4T [479] and I1A to R5G [xxxx] SYYY
2. Amend Part 17, by adding a new Schedule “YYY”, as shown in Document 3.
3. Amend Section 239 – Urban Exceptions, by adding a new exception [xxxx] with provisions similar in effect to the following:
 - i. In Column II, add the text R5G [xxxx] SYYY
 - ii. In Column V, add the following provisions:
 - i. Minimum lot width: 12.5 metres
 - ii. Minimum lot area: 385 square metres
 - iii. Minimum required yard setbacks and maximum permitted building height as per Schedule ‘YYY’
 - iv. Despite Section 101, residential parking is not required.
 - v. Despite Section 102, visitor parking is not required.
 - vi. Provided parking may only be used for visitor parking or car-share parking.
 - vii. Despite Section 163(9), a minimum of eighteen percent of the lot area must be provided as landscaped area.
 - viii. Despite Table 137(5), Column II – Total Amenity Area, the minimum required amount of amenity area is five (5) square metres per dwelling unit.
 - ix. Despite Section 60, Heritage Overlay provisions do not apply.
 - x. Stacked bicycle parking systems are permitted, and such systems are exempt from the minimum bicycle parking space dimensions and may have a minimum aisle width of 1.2 metres.

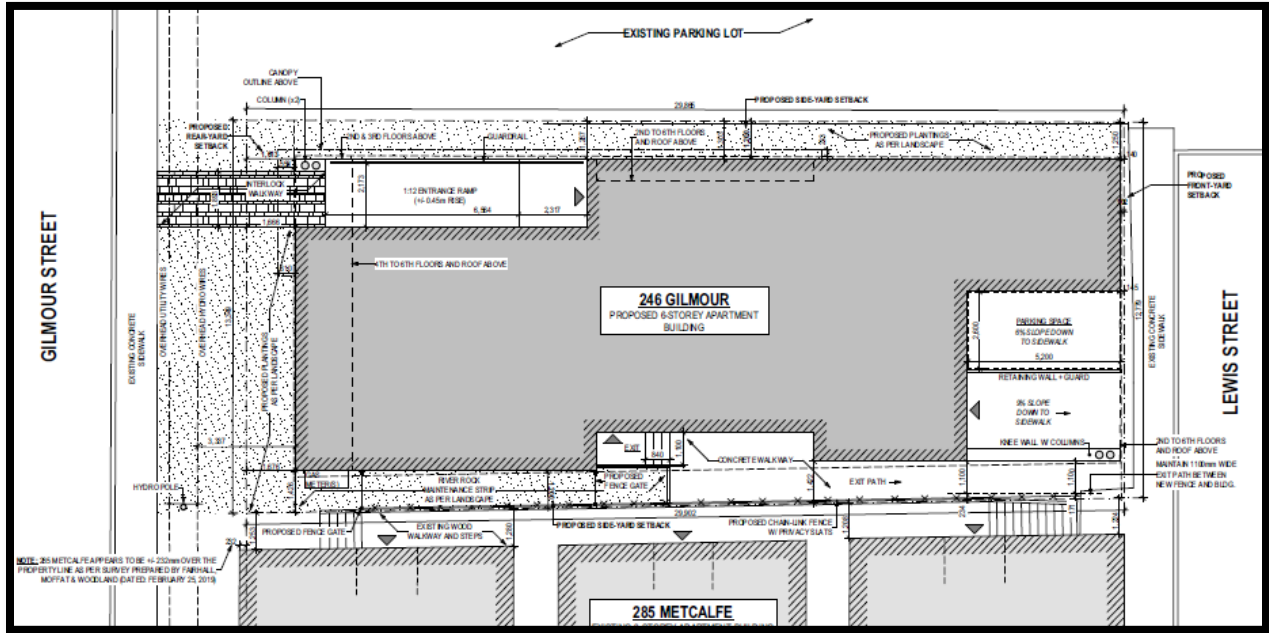
- xi. Despite Section 109(3)(b)(i) maximum walkway width applies as follows:
- 2.0 metres maximum for a walkway leading to the principal building entrance on Gilmour Street, and the accessible ramp is permitted a maximum width of 2.5 metres;
 - 2.5 metres maximum for a walkway located in the westerly interior side yard.
- xii. Maximum building heights of Schedule 'YYY' do not apply to permitted projections under Section 65. Projections are permitted in accordance with Section 65.
- xiii. Projections permitted under Section 65 do not require a setback from the front lot line (Lewis Street).

Document 3 – Schedule “YYY”



Document 4 – Proposal Images

Site Plan Excerpt



Document 5 – Consultation Details

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for development applications.

The applicant team and owner met with the Centretown Community Association on January 21, 2020 to discuss the proposal details and community interests. Staff did not attend.

During application review approximately 10 individuals/groups provided comments. Majority of the comments were opposed to the development and expressed concerns regarding sunlight, privacy, building height, parking, zoning relief, quality of life and not meeting the heritage overlay.

PUBLIC COMMENTS AND RESPONSES

The following summarizes, in no particular order, a list of comment topics and items raised by members of the public in response to the application:

Parking

- While seeing the development it as an attempt to provide more affordable housing in the downtown core, we do in fact have some concern about the inevitable increase in parking pressure on the Lewis and Gilmour streets from a population having only "one car-sharing parking space". Parking is tight in the evenings and on weekends.
- How is the city going to prevent tenants from parking the cars which they will eventually acquire (knowing human nature!) on the streets long-term?
- Not against the development but thinking that all the residents of the new building will be car free commuters is laughable. Please include SOME parking for the 20+ units as the street parking is already a zoo.
- Parking is already a problem around the building. This will make it much worse.

Response:

Reduced parking is becoming a common trend for developments, like this apartment, in urban area. Staff support the reduction in parking and note that sites location in close proximity to the transit property network and main streets if further supported (and encouraged) by the Official Plan and Centretown Secondary Plan.

Through the Site Plan application, conditions of approval are included to place notices on title with any purchase or lease agreements for awareness that the dwelling units do not come with a parking space.

Buildings of this nature are designed and marketed to encourage active transit use, such as walking, cycling and public transit use. Furthermore, parking studies staff were circulated the application for review and did not object the parking reduction.

Sunlight, Privacy and Building Height

Note: the following concerns are predominantly with respect to the abutting apartment building to the west.

- There are 14 windows that would face this proposed building. 12 of these windows are the main source of light to the units. We are objecting to both the proximity of the setback and the height of the building.
- Building closer affects the quality of tenant's environment, creating a dark alley which is the only access to the building. This will permanently darken the units.
- six-storeys blocks any access to see the sky.
- Allowing the building to be so close there would also be limited access for any future cleaning, renovation, or work that need to be done for a future owner without encroaching on our property as the setback would not allow it.
- Historically there was a two-storey single family home that did not impede on our buildings site lines or block the ability for light to come in or have a brick wall obstructing all the unit's views. We do not feel the rights to build this size and proximity should supersede the right of our tenant's enjoyment and permanently negatively affect all future tenants' enjoyment.
- This building would completely block any direct sunlight from ever entering my apartment. I fear it would also block the sunlight from entering the alcoves which reflect light into the other rooms of my apartment. I am fortunate as I am on the 3rd floor, but my neighbours below will be in nearly complete darkness if this building goes up as

Response:

Staff appreciate the concerns raised and are sympathetic to the change of conditions

between these two properties as a result of development. That said, and as further detailed in the main report, the subject site is recognized as a lot suitable for development by virtue of the existing zoning and the type of infill and intensification envisioned by the Official Plan and Secondary Plan. Whether a low-rise "R4" building were built or the proposed "R5" six-storey building were built, this condition between the two properties was subject change. Through the review of this application, revisions were made to provide for the best possible relationship without causing undue adverse impacts. The middle portion of the building was recessed further to encourage more light and the windows were re-oriented to avoid direct alignment between the two buildings. The middle portion of the building also incorporates a lighter material intend to provide light reflection.

The setbacks are typical of tight-nit urban fabric, and staff are not concerned about the ability to provide routine maintenance and access to the buildings. All construction activity will be confined to the subject site.

Heritage

- The applicant should not be granted relief from the Heritage Overlay. The former buildings on the site were fully consistent with the heritage character of the neighbourhood and there is no justification provided as to why the proposed building should not have to conform with the Overlay requirement re massing, height, setback, volume and character. The proposed building will be (likely at a minimum) double the height of the single detached home that once stood on the site.

Response:

The Official Plan provides direction for development within a Heritage Conservation District (HCD). The application included a Cultural Heritage Impact Statement and staff are satisfied that the proposed building does not have an adverse impact on the Centretown HCD.

Other

- The request for reduced minimum lot width should not be granted - the request would involve a 33 per cent reduction in the lot width which cannot be justified.
- The request for a reduced minimum lot area should not be granted - the request would involve a 20 per cent reduction in lot area, which is not justified.

- Do not agree with the request to reduce the minimum front yard setback, which would reduce the setback by 90 per cent from the current zoning by-law requirements. (The document you have circulated refers to a "front yard setback off Lewis Street", yet the municipal address is on Gilmour St.)
- Do not agree with the request to reduce the minimum side yard setback.
- Do not agree with the request to reduce the minimum rear yard setback by almost 50 per cent.
- If the proposed building is to have 22 residential units, why allow only 17 covered bicycle spaces? Based on personal observation in the neighbourhood, that suggests that owners will secure their bicycles to municipal traffic signs, fences, handrails etc. And in some case leave the bicycles locked to this "street furniture" year-round.
- Oppose reduced landscaped area, there is very little landscaping in Centretown.

Response:

The proposed development fits within the existing context and planned function of the area. The abutting property to the west provides zero setbacks along Gilmour Street and Lewis Street. The development fits within the established urban edge and does not have any undue adverse impacts on surrounding properties or public realm.

The provided bicycle parking exceeds the zoning requirement and is consistent with the desire of an active transit supportive development. Additionally, storage lockers are provided for each unit could be used for additional bicycle parking if the tenant chooses.

The reduced landscaped area is partially driven by the property being a through-lot with frontage on two streets. Appropriate setbacks have been provided for the development and the balance of the at-grade treatment has been landscaped as much as possible.

COMMUNITY ORGANIZATION COMMENTS AND RESPONSES

Centretown Community Association participated in the application review process and submitted the following comments after the initial review period.

“The Centretown Community Association has met several times with the proponent of the development proposed for 246 Gilmour. We have suggestions. First, the proposal would have one available parking space. The developer suggests this could be used as

visitor parking or as the site of a shared-car company vehicle. Both are good ideas. We would like to present one other possible use for the parking spot: as parking for support workers, for example, assisted-living workers. As the population ages, we want to facilitate older folks remaining in apartments in the community. For that to happen, caregivers are going to have to come to the buildings where seniors live. They will need parking. Second, this building would have a huge east-facing wall, prominently visible for some distance. We encourage the developer to be creative in making this wall attractive. We suggest the possibility of a giant mural, an actual work of art on the wall. Finally, we wish to commend this owner for his exemplary efforts to reach out to the community. Mr. Idone has taken the initiative in reaching out to the community from the earliest stages of his thinking about this property and stayed in communication with the community association throughout. He has followed up on several of our suggestions. For example, the site is right beside a school and the community association suggested there should be more family-friendly rental units. Mr. Idone doubled the number of two-bedroom units, from two to four, and says he is entertaining the possibility of a three-bedroom unit. It has been a pleasure to work with Mr. Idone and his consultants.”

Response:

Thank for your participation in the review process and for this early feedback. Staff agree with the notion of care-giver parking and such would be considered as visitor parking. This development may provide one visitor parking, or it may be a car-share space. If the latter, the City's parking studies group has confirmed good availability of on-street parking and public parking in the area.

The eastern façade was redesigned to incorporate a more simplified materiality treatment with more brick for compatibility with the Centretown HCD. The façade is further broken down by the recessed portion in the middle of the building.

Staff appreciate the feedback concerning the owner and applicant's approach to consultation.

Ottawa Carleton District School Board (OCDSB)

The OCDSB submitted comments during the initial review period expressing concerns with the proposed development and updated these comments June 5, 2020. Comments are summarized as follows:

- Concerns were expressed about the property ownership suggesting that Part 1 on Plan 4R-19701 was owned by the Board through a vesting order.

- It has since been confirmed by legal representation of both parties that the land title of Part 1 on Plan 4R-19701 was transferred from the OCDSB to Epcon Enterprises Inc. through a previous vesting order, thus confirming ownership of the lands (Part 1 on Plan 4R-19701) by Epcon.
- Corners regarding the development's potential impact upon the operations of Elgin Street Public School that relate the number of zoning relief being sought, such as reduced yard setbacks and reduced landscaped area.
- Gilmour Street a main route to access the school by students walking and provided the minimum required setback would provide more significant buffer between pedestrians and the subject property, especially during construction.
- The side yard setback raises concerns about the proximity to school parking lot and the number of students in the area and vehicles parked on the property. Complying with required setbacks would allow a better buffer.
- OCDSB is concerned about the significant loss of trees along the common property line, as result of both construction and the reduced landscape required after construction due to the relief sought.
 - The OCDSB does not object to the removal of trees along the easterly common property line as a result of both construction and reduced landscape required, as the Owners of the lands at 246 Gilmour Street have agreed to plant shrubs along this common property line and to plant/landscape elsewhere on the Elgin Street Public School site.
- OCDSB is opposed to the reduced setbacks and landscape requirements.
- The Owners (Epcon) of the property have asked to encroach approximately two to four metres into the parking lot of Elgin Street Public School during the construction phase. If encroachment were granted (at the cost of the Owners), parking stalls would be realigned and repainted for use during construction, and reconfigured back to original or satisfactory state to the OCDSB, following construction.
- The OCDSB has some concern with this request as the school parking lot is well-utilized and the number of parking stalls would be reduced during the construction period. This may also present a challenge for vehicular access and egress to the site. The OCDSB are awaiting further response from the Owners regarding an additional approach to construction that does not result in encroachment during the

construction phase.

- If approval is granted, OCDSB request following conditions to ensure the students can continue to safely access Elgin Street Public School during and after construction phases:
 - The school be notified two weeks prior to the commencement of any construction on the lot;
 - No construction activity or traffic be permitted on the School parking areas or property; (Note: The Owners of 246 Gilmour Street have noted that construction cranes will be placed at Lewis Street and not swing over OCDSB property during the construction phases. Construction vehicles will only access the site from Lewis Street.)
 - Safe and secure access to Gilmour Street and Lewis Street and the school site be maintained at all times. The OCDSB has asked that sidewalk access particularly at Gilmour Street be maintained with safe access as the majority of students use this route to travel to and from school;
 - Secure construction access/egress be planned for this site and that the access will be supervised.
 - The construction site itself be clearly hoarded off and/or fenced to both secure the property from unauthorized access to delineate the construction area/property. During construction phases, fencing at the property line will be removed and replaced with hoarding fencing (8 feet). Upon completion, fencing will be replaced by the Owner of 246 Gilmour Street to the satisfaction of the OCDSB Manager of Facilities.

Response:

The applicant was forwarded the comment letter from OCDSB for response and action. It has been confirmed and accepted that the land in question is owned by Epcon Enterprises Ltd. and forms part of 246 Gilmour Street.

The trees along the common property line will be subject to conditions within the Site Plan application for removal. Review of the application has determined that these trees will not survive construction, and most of the trees in questions are in poor quality and intertwined in the existing chain link fence. With respect to the proposed landscaping

along the easterly yard, staff would be happy to consider suggestions for inclusion in the Site Plan drawings.

Staff agree the comments concerning construction approaches and safety. The applicant is aware of these concerns has acknowledged the Boards interest and noted that proper construction standards will be implemented.

The setback along Gilmour Street is further removed from the existing building to the east of the subject site, and after construction a new sidewalk will be implemented, and the building will be approximately 4.5 metres setback from the sidewalk.

Document 6 – Urban Design Review Panel Recommendations

Formal Review: March 6, 2020

246 Gilmour Street | Formal Review | Zoning By-law Amendment, Heritage, and Site Plan Control Application | Robertson Martin Architects; Novatech

Summary

- The Panel appreciates the unique challenges that this site poses and recognizes the project architect's efforts, which are commendable.
- Improvements to the treatment at grade and the side yard relationship to the neighbouring apartment building were strongly recommended.
- Other changes recommendations included simplifying the materiality and undertaking a more contemporary approach to building design.

Relationship to Apartment Building

- Panel strongly recommends that the proponent continue to explore means of improving the side yard condition between the proposal and the apartment building to the west. The goal should be to draw more light into the space and reconcile overlook issues.
- Consider shifting the core towards the east and notch out parts of the mass on the west facade. With additional notching on the west, the windows could be reoriented to avoid directly facing the neighbouring property.
- Consider redesigning the space between the two buildings as a pedestrian walkway through the site to provide a bit more separation.
- Using a lighter building material on the west façade may help to brighten the space.
- Perhaps the City could offer setback relief on the Gilmour side, if more side yard setback is provided on the west facade.

Ground Floor and Site Plan

- The Panel acknowledges the storm water overflow route condition on Lewis Street but requests the proponent consider dropping the elevations of the building down closer to the grade of Gilmour Street (as much as possible) to increase the floor to ceiling height of the ground floor.

- Reconsider the recessed entrances to the building. The Panel recommends enclosing the entrances into a vestibule and bringing the front doors closer to the street.
- Eliminate one of the proposed parking spaces on the Lewis side to establish a more positive relationship with the public realm and the ground floor layout.

Building Design and Elevations

- Consider a more contemporary expression to the building design while maintaining respect for the heritage character of the area:
 - Incorporate additional glazing.
 - Eliminate the stone and simplify the expression of the Gilmour façade by exclusively using brick and glass or by changing materials with plane changes.
 - The penthouse could perhaps be treated differently and be largely glazed.
 - Stepping back the penthouse is recommended.
- The strong cornice line along side façade may not be needed. The Panel recommends quieting the façade with a single material all the way to the top. This façade will likely remain highly visible for quite some time.

Landscape Design

- There is limited space for landscaping in the setback, however, consider columnal species for privacy screening as an opportunity to integrate additional greening. This would work well with a more contemporary treatment of the ground floor with more glazing. Cassey House in Toronto was cited as a good precedent.