

**7. ZONING BY-LAW AMENDMENT – 137 AND 141 GEORGE STREET  
MODIFICATION AU RÈGLEMENT DE ZONAGE – 137 ET 141, RUE GEORGE**

**COMMITTEE RECOMMENDATIONS, AS AMENDED**

That Council approve:

- 1) an amendment to Zoning By-law 2008-250 for 137 and 141 George Street to permit a temporary parking lot for a maximum of three years, as detailed in Document 2, and that the implementing Zoning By-law not proceed to Council until such time as the site plan control application is approved and any related securities are provided to the City;

- 2) that Document 2 be replaced with the following:

**Document 2 – Details of Recommended Zoning**

**The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 137 and 141 George Street:**

1. Amend exception [2031] in Section 239, Urban Exceptions, to add in revisions similar in effect to the following:
  - (a) In Column III, add the text  
“- parking lot”;
  - (b) In Column V, add the following text:
    - a parking lot is permitted as a temporary use on the lots municipally known as 137 and 141 George Street beginning on [date of passage of by-law] and expiring on [date three years from date of passage of by-law]

- Section 110 does not apply
  - the minimum required width of a landscaped buffer for a parking lot abutting a street is 3m and a driveway may cross the landscaped buffer; and
3. that there be no further notice, pursuant to Subsection 34 (17) of the *Planning Act*.

### RECOMMANDATIONS DU COMITÉ, TELLES QUE MODIFIÉES

Que le Conseil approuve :

1. une modification au Règlement de zonage 2008-250 relativement aux 137 et 141, rue George, afin de permettre un parc de stationnement temporaire, pour une période maximale de trois ans, comme le précise le document 2, et que le *Règlement de zonage* modifié ne soit présenté au Conseil qu'après l'acceptation de la demande d'approbation du plan d'implantation et la présentation de toute garantie correspondante à la Ville ;
2. que le document 2 soit remplacé par ce qui suit :

#### Document 2 – Détail du zonage recommandé

Modification proposée au *Règlement de zonage* de la Ville d'Ottawa (n° 2008-250) relativement aux 137 et 141, rue George :

1. Ajouter à l'exception [2031] de l'article 239 – Exceptions urbaines, des dispositions ayant un effet analogue à celles qui suivent :
  - (a) À la colonne III, inscrire :
    - parc de stationnement;
  - (b) À la colonne V, inscrire :
    - Un parc de stationnement est permis en tant

**qu'utilisation temporaire sur les terrains ayant pour désignations municipales les 137 et 141, rue George, à compter du [date d'adoption du règlement municipal] jusqu'au [date marquant le troisième anniversaire du règlement municipal].**

- **L'article 110 ne s'applique pas.**
- **Un parc de stationnement jouxtant la voie publique doit avoir une zone tampon aménagée d'une largeur minimale de trois mètres, dans laquelle une allée peut être aménagée ; et**

3. **qu'en vertu du paragraphe 34(17) de la Loi sur l'aménagement du territoire, aucun nouvel avis ne soit donné.**

#### **DOCUMENTATION / DOCUMENTATION**

1. Acting Director's report, Planning Services, Planning, Infrastructure and Economic Development Department dated 6 April 2017 (ACS2017-PIE-PS-0060)  
  
Rapport de la Directrice par intérim, Service de la planification, Services de la planification, de l'infrastructure et du développement économique daté le 6 avril 2017 (ACS2017-PIE-PS-0060)
2. Extract of draft Minutes, Planning Committee, 25 April 2017  
  
Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 25 avril 2017

**Report to  
Rapport au:**

**Planning Committee / Comité de l'urbanisme  
April 25, 2017 / 25 avril 2017**

**and Council / et au Conseil  
May 10, 2017 / 10 mai 2017**

**Submitted on April 6, 2017  
Soumis le 6 avril 2017**

**Submitted by  
Soumis par:**

**Lee Ann Snedden,**

**Acting Director / Directrice par intérim,**

**Planning Services / Service 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:**

**Erin O'Connell, Planner II/Urbaniste II, Development Review Central / Examen des  
demandes d'aménagement centrale**

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**Ward: RIDEAU-VANIER (12)**

**File Number: ACS2017-PIE-PS-0060**

**SUBJECT: Zoning By-law Amendment – 137 and 141 George Street**

**OBJET: Modification au Règlement de zonage – 137 et 141, rue George**

**REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to  
Zoning By-law 2008-250 for 137 and 141 George Street to permit a**

temporary parking lot for a maximum of three years, 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 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 Bill 73 'Explanation Requirements' at the City Council Meeting of 10 May 2017", 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 2008-250 relativement aux 137 et 141, rue George, afin de permettre un parc de stationnement temporaire, pour une période maximale de trois ans, comme le précise le document 2.
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation 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 du projet de loi 73 », à la réunion du Conseil municipal prévue le 10 mai 2017, 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](#).

### Owner

Claridge Homes

## **Applicant**

FoTenn Consultants Inc.

## **Description of site and surroundings**

The site is on the north side of George Street, one property east of Dalhousie Street. The property area is approximately 2,900 square metres with 42 metres of frontage on George Street.

The surrounding area includes the recently constructed Andaz Hotel to the south, low-rise residential uses further to the south, high-rise residential to the north along George Street and retail and restaurant uses to the west in the ByWard Market.

## **Summary of requested Zoning By-law amendment proposal**

The site is designated 'Central Area' pursuant to the City of Ottawa Official Plan. The property is currently zoned 'Mixed-Use Downtown Zone, Subzone 2, Exception 2031, Schedule 307' (MD2[2031] S307) pursuant to Zoning By-law 2008-250. The Mixed Use Downtown Zone aims to support the Central Area designation by permitting a range of uses including employment, retail, and entertainment, but does not permit parking lots. The site is also part of the Central Area Lowertown Secondary Plan.

The applicant is proposing a temporary parking lot on the site for a period not exceeding three years, or until the development of the approved 22-storey mixed-use building on the site proceeds if that occurs in less than three years. The existing zoning will remain the same, but an additional provision will be added to the exception to permit the temporary parking lot.

An application for revised Site Plan Control will be required for the temporary use to proceed.

## **Brief history of proposal**

The site has Site Plan Approval for a 22-storey mixed-use building and adjacent Andaz Hotel, located at the corner of Dalhousie and York Streets. Council approved plans for this mixed-use building and hotel on April 24, 2013. Following that, an appeal to Council's decision was made to the Ontario Municipal Board. The application proceeded to be heard before the Ontario Municipal Board, which issued a decision in support of the hotel and mixed-use buildings on January 15, 2014. Site Plan Approval was

subsequently granted on April 1, 2014, and construction on the first building of the site, the hotel, started shortly after that.

Construction has not commenced for the second phase of the development, which is a mixed-use building including underground parking for the adjacent hotel. The site is currently vacant, and the applicant is now requesting permission to operate a paid parking lot temporarily.

## **DISCUSSION**

### **Public consultation**

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. Seven comments were received from the public as a result of the request. Three residents supported the surface lot, but two of those opposed the previously approved building to be constructed on it. Three residents provided no comments but requested to be kept advised of the application as it proceeded. Details of support and opposition are in Document 3.

For this proposal's consultation details, see Document 3 of this report.

### **Official Plan designation**

According to Schedule B of the Official Plan, the property is designated as Central Area.

The Central Area is recognized as the economic and cultural heart of Ottawa, the symbolic heart of the nation and is the main tourist destination in the National Capital Region. The Official Plan encourages a broad range of land uses and day/night, year-round activities. The image and identity of this area will be enhanced through new mixed-use development and additional hotel and residential uses.

Section 3.6.6.9 of the Official Plan includes policies related to the provision of parking lots. This section speaks to facilitating the provision of moderately-priced, short-term parking to serve the retail and commercial sectors and the tourism industry. This section also speaks to discouraging the provision of temporary surface parking lots, however does recognize that where they are proposed through a rezoning, the impact on the abutting pedestrian corridors must be assessed. In particular, the visual appearance of such parking areas should be enhanced and screened through the use of substantial vegetation, while ensuring adequate public safety.

### **Central Area Secondary Plan**

The site is located within the Lowertown Character Area in the Central Area Secondary Plan. Section 1.8.1 of the Secondary Plan speaks to a limited number of mixed-use developments with short-term parking facilities, which also support adjacent areas while traffic impacts are controlled.

### **Urban Design Review Panel**

The property is within a Design Priority Area and the past Zoning By-law amendment application and/or Site Plan Control application for the hotel and mixed-use building were subject to the Urban Design Review Panel (UDRP) process. The current application for a temporary parking lot will not proceed to the UDRP as parking lots are exempted from this process.

### **Planning rationale**

The site is currently vacant. The use of the vacant site for parking associated with the hotel use and available to the public when not required for the hotel, is proposed on a temporary basis until the construction of the approved mixed-use building with underground parking proceeds. The provision of parking in this temporary location will support the commercial sector and tourism industries in the area until the preferred parking is provided in the underground lot at the same location. As part of the proposed Zoning By-law amendment, a holding zone is proposed in order that a revised site plan be submitted to ensure that landscaping and fencing provided will improve the appearance of the site from its current state, while the parking lot is in existence.

While surface parking lots are not encouraged within the policy context, there is recognition that the approved site plan control application for a mixed-use building provides incentive for the removal of this lot at the earliest available opportunity for the applicant.

The applicant has also submitted a Transportation Overview which concludes that the anticipated traffic volumes associated with the temporary parking lot will have little to no effect on the roadway operations. The anticipated traffic generated by the public parking use also represents approximately 20 per cent of the traffic that has been approved as part of the ultimate development plan for the site.

Section 5.2.1 of the Official Plan permits the City to authorize the temporary use of lands by Zoning By-law amendment for a period not to exceed three years. As the



ultimate intended development plan for the subject site is a mixed-use building, staff wish to emphasize that the recommended approval does not guarantee the same response if a subsequent request to continue the temporary parking use is made in three years. If a subsequent request for continuation of the temporary parking lot is received in three years, it will be considered as a new request and the department will determine if further improvements in terms of landscaping or design features would be warranted at that time, as well as whether the continuation of the temporary use is appropriate.

### **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** (note: this is a corrected version, posted 04-24-2017)

Councillor Fleury provided the following comments:

“As the proposal for a temporary parking lot at 137-141 George Street is being recommended by staff for a three year period it becomes imperative that we consider the consequences of granting this type of request. We have seen the impacts of granting temporary parking rights as the ‘temporary’ parking lot was granted to the Notre-Dame Cathedral Basilica 20 years ago is currently still a parking lot. One of the primary goals for our urban core is animation and a surface parking lot as a use is not compatible. In keeping with the City’s provisions on eliminating surface parking lots in the urban core as a goal to bring commercial ground floor and residential uses, we are opposed to the addition of surface lots in Lowertown, Byward Market, and Rideau Street. If committee chooses to grant this temporary use, we would like to see staff use zoning tools to enforce the temporary nature.”

### **LEGAL IMPLICATIONS**

There are no legal impediments to approving the recommendations contained in the report.

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk implications.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

## **ACCESSIBILITY IMPACTS**

The approved building on the site will be required to meet the accessibility criteria contained within the Ontario Building Code. The *Accessibility for Ontarians with Disabilities Act* requirements for site design will also apply, and will be reviewed at the time that the revised Site Plan Control application is submitted.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priority:

EP2 – Support Growth of local economy.

## **APPLICATION PROCESS TIMELINE STATUS**

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

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Concept Plan

Document 5 Overview Data Sheet (*previously distributed and held on file*)

## **CONCLUSION**

The department can support the recommendation for a temporary parking lot as the approval is conditional upon landscaping improvements to the site, the parking will create natural surveillance of an otherwise vacant lot, and the parking will eventually be located in an underground parking lot.

**DISPOSITION**

Office of the City Clerk and Solicitor, Legislative Services to notify the owner; applicant; Krista O'Brien, Deputy City Treasurer Revenue Branch, Corporate Services (Mail Code: 26-76) of City Council's decision.

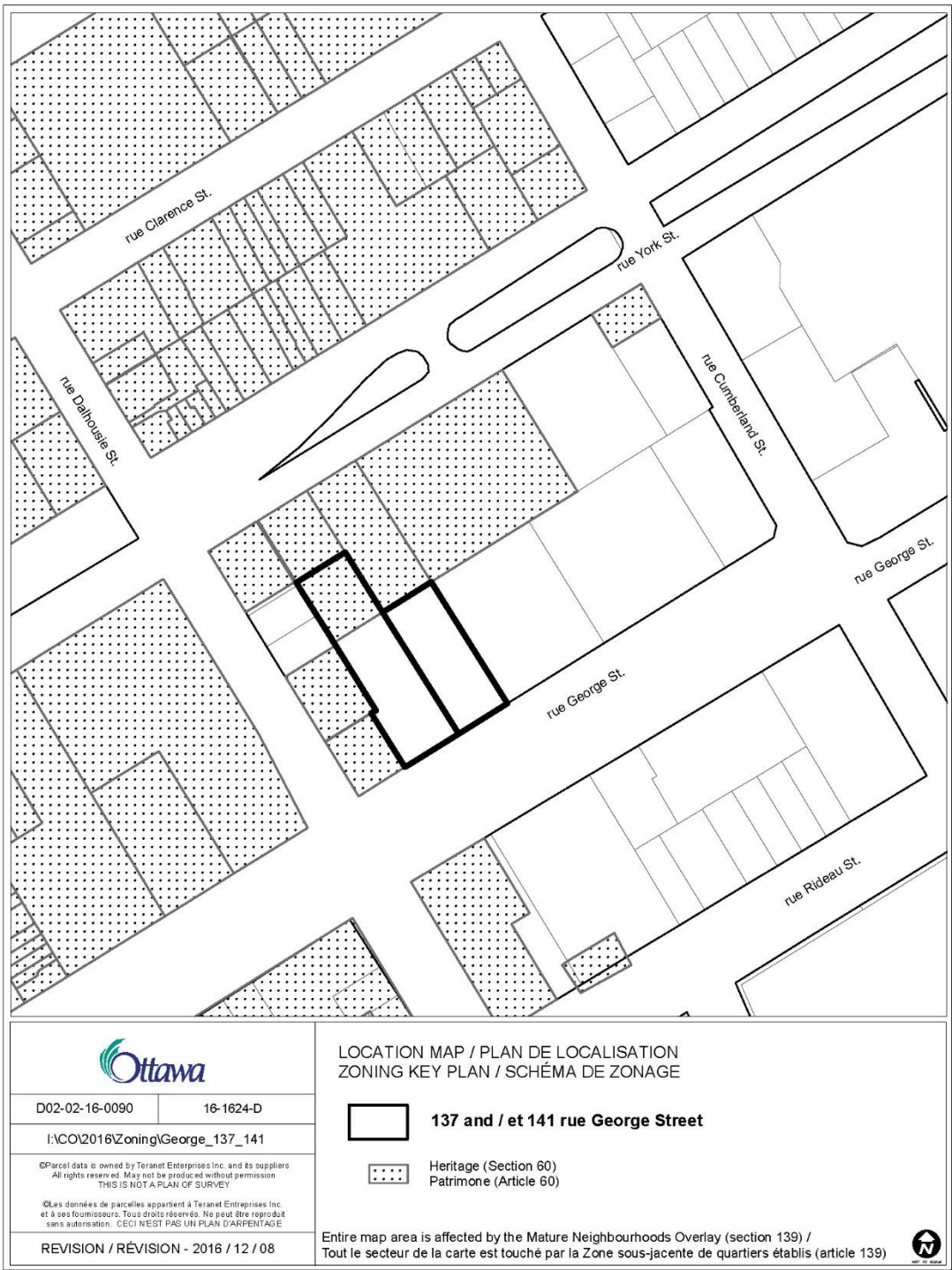
Zoning and Interpretations Unit, Planning Services to prepare the implementing by-law and forward to Legal Services.

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

Circulation Services Unit, Planning Services to undertake the statutory notification.

Document 1 – Location Map

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



## **Document 2 – Details of Recommended Zoning**

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 137 and 141 George Street:

1. Rezone the lands shown in Document 1 as follows:
  - MD2[2031] S307 to MD2[2301] S307-h
2. Amend exception [2301] in Section 239, Urban Exceptions, to add in provisions similar in effect to the following:
  - (b) In Column IV, add the text, “a parking lot is not permitted until such time as the holding symbol is removed”
  - (c) In Column V, add the text:
    - The holding symbol may only be removed at such time as an application for revised site plan control has been approved including the detailing of landscaping associated with the temporary parking lot.
    - A principal use parking lot is permitted as a temporary use effective at the time when the holding symbol has been removed, and expiring three years following.

### **Document 3 – Consultation Details**

#### Notification and Consultation Process

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. Seven comments were received from the public as a result of the request. Three residents supported the surface lot, but two of those opposed the previously approved building to be constructed on it. Three residents provided no comments but requested to be kept advised of the application as it proceeded. One resident provided comments in opposition to the proposed surface lot.

#### Public Comments and Responses

##### Comment:

Support for the surface lot on a temporary basis, but desire to see the ultimate approved building constructed as soon as possible.

##### Response:

The applicant has advised that they will proceed with construction as soon as it is feasible to do so.

##### Comment:

Opposition to the surface lot based on perception of abandonment and concern that revenue parking will provide a disincentive for the applicant to proceed with development.

##### Response:

The lot is currently vacant and the site plan control revision process will include improvements to the existing landscaping. A temporary parking lot will add activity to an otherwise vacant site, anticipated to improve natural surveillance.

While it is true that the proposed lot will be a source of revenue, the applicant has an approved site plan for a new mixed-use 22-storey building and as a preference, would wish to construct this building as soon as possible, when the market situation is favourable.

Comment:

Opposition to the ultimate development of the mixed-use 22-storey building on the site.

Response:

The Zoning By-law amendment and Site Plan Control applications for the ultimate building to be constructed on the site has been previously approved and is not the subject application before Planning Committee and Council now.

Comment:

Request for security for the parking lots.

Response:

The applicant has advised that valet parking for the Andaz Hotel will ensure regular surveillance of the lot.

### **Community Organization Comments and Responses**

Thank you for the opportunity to comment on the rezoning proposal by Claridge to create a temporary ground level parking lot on the above noted properties.

The Lowertown Community Association (LCA) does not support the developer's proposal on the basis that it contradicts the City's own provisions for eliminating surface parking facilities in the core of the city. While the temporary parking lot is intended to provide parking for guests of the hotel that borders the site, the LCA notes that provision had been made at the time of City council approval of the development to include the necessary parking capacity in an adjacent structure that is now not being built at 137 – 141 George Street site.

In addition, the LCA notes that there are other means by which parking can be provided for guests at the new hotel. This would require Claridge/the Andaz Hotel to negotiate and provide for valet parking facilities for its guests. We note that provision for valet parking has already been identified by the owners and management of the Chateau Laurier Hotel as a necessary service that the hotel will have to offer for a two to three year period should the construction of the proposed addition to the Chateau commence in 2018. Surely Claridge is capable of taking the same steps rather than expecting that the local communities and visitors should put up with a surface parking eyesore.

Response:

The applicant has noted that the primary function of the lot will be to provide valet parking for the adjacent Andaz Hotel. The department is of the opinion that the changes through the Site Plan control revision will improve the appearance of the currently vacant site and provide natural surveillance. The City cannot force the applicant to construct an approved plan where the market does not support it and as such, the department feels that this is an appropriate temporary condition that will allow for the Andaz Hotel to function with minimal impacts on the adjacent area.



Document 4 – Concept Plan

