

<p><b>3. ZONING BY-LAW AMENDMENT – 1400 CARLING AVENUE</b></p> <p><b>MODIFICATION AU RÈGLEMENT DE ZONAGE – 1400, AVENUE CARLING</b></p>
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**COMMITTEE RECOMMENDATION**

That Council approve an amendment to Zoning By-law 2008-250 for 1400 Carling Avenue to permit the addition of two towers, measuring 10 storeys and 12 storeys, to an existing five storey retirement home, as detailed in Document 2.

**RECOMMANDATION DU COMITÉ**

Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant le 1400, avenue Carling, afin de permettre l'ajout de deux tours, l'une de dix étages et l'autre de douze étages, à une maison de retraite existante de cinq étages, comme l'expose en détail le document 2.

**DOCUMENTATION / DOCUMENTATION**

1. Acting Director's report, Planning Services, Planning, Infrastructure and Economic Development Department dated 8 March 2017 (ACS2017-PIE-PS-0038)

Rapport de la Directrice par intérim, Services de la planification, Service de planification, d'Infrastructure et de Développement économique daté le 8 mars 2017 (ACS2017-PIE-PS-0038)

2. Extract of draft Minutes, Planning Committee, 28 March 2017.

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 28 mars 2017

3. Summary of Written and Oral Submissions, to be issued separately with the Council agenda for its meeting of 26 April 2017, as part of the Summary of Oral and Written Public Submissions for Items Subject to Bill 73 'Explanation Requirements'

Résumé des observations écrites et orales, à distribuer séparément avec l'ordre du jour de la réunion du 26 avril 2017 du Conseil, comme faisant partie du Résumé des observations orales et écrites du public sur les questions assujetties aux « exigences d'explication » aux termes de la Loi 73.

**Report to  
Rapport au:**

**Planning Committee / Comité de l'urbanisme  
March 28, 2017 / 28 mars 2017**

**and Council / et au Conseil  
April 12, 2017 / 12 avril 2017**

**Submitted on March 8, 2017  
Soumis le 8 mars 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 / Services de la  
planification, de l'infrastructure et du développement économique**

**Contact Person / Personne ressource:**

**Jean-Charles Renaud, Planner / urbaniste, Development Review South / Examin  
des demandes d'aménagement sud**

**(613) 580-2424, 27629, Jean-Charles Renaud**

**Ward: RIVER (16) / RIVIÈRE (16)**

**File Number: ACS2017-PIE-PS-0038**

**SUBJECT: Zoning By-law Amendment – 1400 Carling Avenue**

**OBJET: Modification au Règlement de zonage – 1400, avenue Carling**

**REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1400 Carling Avenue to permit the addition of**

two towers, measuring 10 storeys and 12 storeys, to an existing five storey retirement home, 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 12 April 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 visant le 1400, avenue Carling, afin de permettre l'ajout de deux tours, l'une de dix étages et l'autre de douze étages, à une maison de retraite existante de cinq étages, comme l'expose 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 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 12 avril 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.

#### EXECUTIVE SUMMARY

##### Assumption and Analysis

The site is located along Carling Avenue, east of the Kirkwood Avenue intersection and south of Highway 417. The site is subject to the General Urban designation in the Official Plan.

The proposal seeks to facilitate the construction of addition of two new towers, measuring 10 storeys and 12 storeys, to the existing five-storey retirement home. The Zoning By-law amendment is to permit heights in excess of 9 storeys, as well as to allow an amenity room above the 12<sup>th</sup> storey to be considered as a projection. The proposed rezoning would also recognize existing/approved situations related to parking and landscape buffers.

OPA 150 policies support increased building heights when community amenity is provided, where the development meets the urban design policies and where the site is located within 400 metre walking distance of rapid transit. The proposal meets all of these criteria.

#### Public Consultation/Input

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by Council for Official Plan and Zoning By-law amendments. Four correspondences were received from the public, some of which were not concerned with the proposal, and some which expressed concerns with height and shadowing.

#### **RÉSUMÉ**

## Hypothèse et analyse

Le site se trouve le long de l'avenue Carling, à l'est de l'intersection de l'avenue Kirkwood et au sud de l'autoroute 417. Le site est désigné en tant que « secteur urbain général » dans le Plan officiel.

La proposition vise à permettre l'ajout de deux nouvelles tours de 10 et de 12 étages à l'actuelle maison de retraite de cinq étages. La modification du règlement de zonage vise à permettre la construction d'immeubles de plus de 9 étages ainsi que d'une salle d'agrément au-dessus du 12<sup>e</sup> étage (à considérer en tant que projection). Le projet de modification de zonage reconnaîtrait également les situations actuelles/approuvées concernant le terrain de stationnement et les bandes tampons paysagées.

Les principes directeurs de la MPO n<sup>o</sup> 150 soutiennent l'augmentation de la hauteur des immeubles lorsqu'une installation d'agrément communautaire est prévue dans les cas où le projet respecte les politiques d'aménagement urbain et que le site se trouve à 400 mètres de marche d'une station de transport en commun rapide. La proposition répond à tous ces critères.

## Consultation publique et commentaires

Un avis public a été donné à cet égard et une consultation publique a eu lieu conformément à la politique concernant les avis et les consultations publics approuvée par le Conseil municipal pour les modifications au Plan officiel et au règlement de zonage. Des quatre citoyens qui ont répondu, certains ont indiqué ne pas être préoccupés par le projet, tandis que d'autres ont soulevé des inquiétudes quant à la hauteur et à l'ombre.

## **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**

1400 Carling Avenue

### **Owner**

Sharon Enterprises LP

## **Applicant**

Bill Holzman, Holzman Consultants Inc.

## **Description of site and surroundings**

The site is located south of Carling Avenue and west of Meath Street with frontage on both streets and an area of 9,610 square metres. The site currently consists of a five storey retirement home (originally built as a hotel) along with associated parking. It is surrounded by Carling Avenue (Arterial Mainstreet) and Highway 417 to the north, a hotel and conference centre as well as the Westgate Shopping Centre to the east, low density residential to the south and low-rise apartment residential to the west. The site is in close proximity to the Carling Avenue and Kirkwood Avenue intersection to the west.

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

The current zoning on the property is AM10 (Arterial Mainstreet, Subzone 10). The AM zone permits a broad range of uses including retail, service commercial, offices, residential and institutional uses. The subzone does not introduce any new uses, but rather includes specific performance standards requirements relating to active street frontage, building heights and others. The AM10 zone permits the use of a retirement home.

The applicant is requesting an amendment to the Zoning By-law in order to allow the addition of two new towers, measuring 10 storeys (31.1 metres) and 12 storeys (38.5 metres), to the existing five-storey retirement home. The 12-storey tower will feature an amenity room projection above the twelfth storey.

The requested Zoning By-law amendment includes the following:

- Allow a tower located on the western portion of the site to be 10 storeys in height and a tower located on the eastern portion of the site to be 12 storeys in height.
- Allow the building to have 45 per cent of the frontage occupied by building walls located within 4.5 metres of the frontage.
- Allow a portion of the building located within 10 metres of a front lot line to measure 4.2 metres in height and contain only one storey.

- An amenity room with a maximum height of 4 metres and a maximum area of 475 square metres may project above the allowable building height on the easternmost tower.
- Allow a 0.6 metre landscape buffer along 19 parking spaces at the rear of the building. This would serve to recognize an existing situation.
- Allow a 0-metre landscape buffer along eight parking spaces at the front of the building and allow three of these spaces to have a reduced length. This would serve to recognize an approved situation.

### **Brief history of proposal**

The existing five storey building was originally constructed as a hotel, but was converted to a retirement home in the mid-2000s.

In 2007 the Owner submitted a Site Plan Control application and a Committee of Adjustment application for Minor Variance in order to permit the addition of two 10 storey towers, one at each end of the existing building. The required variances were granted in December 2007 and the Site Plan Control application was approved in 2011 (see Document 3). Construction was delayed due to changing market conditions.

The new proposal, which increased the height of one of the towers without changing the number of overall proposed units (increased size of individual units), was heard by the Committee of Adjustment in 2016. The Minor Variance application was refused by the Committee of Adjustment on the basis that the application did not meet the four tests under the *Planning Act*, and that the matter would be appropriately considered through a Zoning By-law amendment. Staff shared this opinion as well.

The owner has since appealed this refusal to the Ontario Municipal Board. A hearing was held on February 23, 2017. The decision was reserved, and has not yet been released.

A Site Plan Control application was approved in 2016 in order to add a public amenity area along the northeast corner of Carling Avenue to the approved Site Plan mentioned above.

## **DISCUSSION**

### **Public consultation**



Notification and public consultation was undertaken in accordance with the Public Notification and Consultation Policy approved by Council for Development Applications. Approximately four individuals/groups commented on the proposal as a result of the notification process. Issues and/or objections expressed generally related to building height and increased traffic. Please refer to Document 5 for details of consultation, including comments received and staff's response.

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

### **Official Plan designation**

According to Schedule B of the Official Plan, the property is designated as an Arterial Mainstreet. Carling Avenue is an Arterial Road as shown on Schedule E of the Official Plan.

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

The Urban Design Guidelines for Development along Arterial Mainstreets are applicable to this development. These Guidelines strive to foster high-quality development that will contribute to the recognized or planned character of the street while promoting comfortable pedestrian environments and attractive streetscapes.

While not in full force and effect as of the writing of this report, the subject site is captured within the Westgate Secondary Plan Study Area. The purpose of this Secondary Plan is to guide the private development of the properties captured within the study area to evolve into a more mixed-use, connected, attractive place for pedestrians and cyclists. The site is located within the Westgate-Carling South Transition Area, which is intended to support the varying roles of Carling Avenue, while providing appropriate transitional built form and strong urban design in order to recognize and protect the low-rise residential context located to the south of the area.

### **Planning rationale**

#### Provincial Policy Statement

The *Planning Act* requires that all city planning decisions be consistent with the Provincial Policy Statement (PPS), 2014; a document that provides further policies on matters of Provincial interest related to land use development.

The recommended Zoning By-law amendment is considered consistent with the matters of Provincial interest as outlined in the *Planning Act* and is in keeping with the PPS, 2014 by promoting an intensified land use pattern within a settlement area and by improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society.

#### Official Plan

This application has been reviewed under the consolidated Official Plan (2003) with regard for the Council approved amendments contained within Official Plan Amendment 150 (OPA 150). The amendments introduced by OPA 150 which impact the proposed Zoning By-law amendments are more specific in terms of allowable height within the designation area than those which form part of the consolidated Official Plan (OPA 76). Unless otherwise specified, policies referenced below form part of OPA 150.

The Official Plan designates this property as Arterial Mainstreet, which identifies streets that offer significant opportunities for intensification through medium density and mixed use development along streets that are Transit Priority Corridors or well served by transit. Focusing intensification along Mainstreets allow for less disruption for adjacent communities and more dense development that supports, and is supported by, increased walking, cycling and transit use.

Arterial Mainstreet policies encourage redevelopment and infill on Arterial Mainstreets in order to optimize the use of land through intensification, in a building format that encloses and defines the street edge with active frontages. Although the proposed development requires relief from the active frontage provisions of the Zoning By-law, the addition to the building brings the active frontage much closer to the street and creates a much more attractive situation than the existing condition.

While Arterial Mainstreet policies state that buildings up to nine storeys will predominate, taller buildings of up to 12 storeys may be considered where the development provides a community amenity, where it is demonstrated that the development meets the urban design and compatibility policies of Section 4.11 and where the site is located within 400 metres walking distance of a Rapid Transit Station on Schedule D of the Official Plan. As stated above, the Owner has obtained site plan approval in order to add a public amenity area near the northeast corner of Carling Avenue and Meath Street. Schedule D of the Official Plan identifies a future rail transit station at the corner of Carling Avenue and Kirkwood Avenue, which is located approximately 50 metres from the subject property.

While the applicant is also requesting relief from the Zoning By-law in order to permit an amenity room to be considered as a permitted projection above the height limit (half floor, above the twelfth storey), and while this projection may be viewed as a thirteenth storey, the Arterial Mainstreet policies allow taller buildings up to 12 storeys in situations where it can be demonstrated that the local area can support the added density. Given that the addition of the amenity room projection would be uninhabitable and would therefore not increase the density on the site, staff is of the opinion that the intent of the policy is maintained. The policies of OPA 76, which are currently in effect, do not offer any absolute height limits.

The existing Carling Avenue context includes a 22-storey residential tower at 1316 Carling Avenue, and the Westgate Lands redevelopment project proposes two 24-

storey towers along Carling as well as two 36-storey towers and one 24-storey tower at the rear of the property.

#### Managing Intensification within the Urban Area

Section 2.2.2 of the Official Plan supports intensification throughout the urban area where there are opportunities to accommodate more jobs and housing and increase transit use. The Official Plan directs intensification to Target Areas for Intensification, such as Arterial Mainstreets. Policies further state that taller buildings should be located in areas that support the Rapid Transit and Transit Priority Network.

#### Urban Design and Compatibility

Official Plan Sections 2.5.1 and 4.11 provide guidance for reviewing the design and compatibility of the proposed development, particularly with regard to achieving a compact, mixed-use, transit-oriented, pedestrian-friendly environment and creating a place with visual interest.

Section 2.5.1 includes design objectives to guide development throughout various land use designations. The proposed development provides a compact form that contributes to and supports the nearby retail and transit opportunities and promotes alternative modes of transportation beyond vehicles.

Section 4.11 provides objective criteria which can be used to evaluate compatibility. These policies strive to require high quality urban design throughout the City. Compatibility is described not as being the same as or similar to existing buildings in the vicinity, but rather as being able to coexist with existing development without causing adverse impact on surrounding properties. The proposed towers are well removed from the nearby residential areas. The 10 storey tower remains unchanged from the current site plan approval, and the 12 storey tower (with amenity space projection) is located at more than 36 metres from the south property line, and further from any residential use. Further to comments received from the community, the applicant has submitted a sun shadow study demonstrating the limited impact of the proposed height increase (see Document 4). There are impacts from the 10 storey tower on the neighbours to the west along Kirkwood during the early morning hours, and also some impact on the neighbours to the east during the fall season, late in the day. None of the shadows from the 12-storey tower are shown to affect the neighbouring low-rise neighbourhood.

The proposal orients the principal façade and entrance to the street and brings the active frontage closer to the street. Windows provided on the building elevations will be visible from public spaces. The addition of a public amenity area reinforces the relationship of the site to the public realm. The proposal is consistent with the policies regarding good urban design and compatibility.

#### Urban Design Guidelines for Development along Arterial Mainstreets

The Urban Design Guidelines for Development along Arterial Mainstreets seek to promote compatible development featuring high-quality built form and a strong street edge while creating a comfortable pedestrian environment.

The proposal would facilitate an addition to an existing building which would bring it closer to the public street edge (Guideline 1) and would introduce a new public amenity space on the road right-of-way (Guidelines 6, 15 and 24). The proposal would incorporate clear windows and doors making the pedestrian level facade of walls, facing the street, highly transparent (Guideline 18).

#### Westgate Secondary Plan

The Westgate Secondary Plan is being prepared in conjunction with the Westgate Lands Redevelopment proposal. The Secondary Plan is set to be presented to Planning Committee on March 28, 2017.

The policies included in the Secondary Plan strive to inform redevelopment of the Westgate Shopping Mall as well as the surrounding properties located within the Planning Area. The property is located within the Planning Area, in an area named Westgate-Carling South Transition Area. This area promotes the varying roles of Carling Avenue, which is a place of living, working, shopping, socializing and transportation while being enjoyable for pedestrians and cyclists. The policies also seek to provide appropriate transitional built form and strong urban design within the area in order to recognize and protect the low-rise residential context to the south.

The proposal's compact urban form is appropriate for Carling Avenue, in proximity to a future rail transit stop, and the proposed public amenity will provide an enjoyable pedestrian environment. While the 10-storey building remains unchanged from the current approval, the 12-storey tower (with amenity area) is located over 36 metres away from the nearby residential neighbourhood, providing a transition space. As mentioned above, a sun shadow study has demonstrated an absence of impact from

the 12-storey building on the nearby properties, and limited impact at select times from the already approved 10 storey buildings on some nearby houses.

While not in effect at the time of writing of this report, the proposal meets the intent of the Westgate Secondary Plan.

### Zoning By-law

The applicant is proposing to rezone the site, which is currently zoned AM10. In February 2015 Council approved a Zoning By-law amendment which amended the zoning of properties City-wide in accordance with new policies of OPA 150. The property was then rezoned from AM1 to AM10. The original site plan (see Document 3) was approved under the AM1 zoning.

The purpose of the AM Zone is to accommodate a broad range of uses including retail, service commercial, offices, residential and institutional uses and to impose development standards that will promote intensification while ensuring that they are compatible with the surrounding uses.

As detailed in Document 2, the proposed Zoning By-law amendment will re-zone the site to Arterial Mainstreet with a site specific Urban Exception [xxxx] for various performance standards. The following summarizes the site specific zoning provisions and the planning rationale:

- The Arterial Mainstreet zone contains provisions, which allows building heights up to 30 metres. The proposal includes two new towers measuring 31.1 (10 storeys) and 38.5 metres in height (12 storeys). The Department is of the opinion that the increase in height (both towers are 10 storeys in height in the approved site plan) is appropriate for this site.
- The Arterial Mainstreet zone contains provisions which ensure that development proposals include ample active frontage facing the street. Section 186(10)(b)(i) requires that at least 50 per cent of the frontage along the front lot line must be occupied by building walls located within 4.5 metres of the frontage. While the approved site plan complied with the AM1 provisions at the time of approval, relief is required from this AM10 provision to allow only 45 per cent of the frontage to be occupied by building walls within 4.5 metres of the front property line. Given the proposal's drastic improvement to the site's active street frontage, staff is of the opinion that this relief is appropriate.

- The Arterial Mainstreet zone also contains provisions which deal with street edge definition. Section 186(10)(e) requires any portion of a building located within 10 metres of a front line or corner lot line to be a minimum height of 7.5 metres and must contain at least two storeys. Again, while the approved site plan complied with the AM1 provisions at the time approval, relief is required from this AM10 provision to allow parts of the building located within 10 metres of the front lot line to contain only one storey. This would apply to the entry lobby located between the two new towers. Although the central portion of the building would not be high enough to meet the by-law's current requirements, the proposed two towers would be located at 0 metres from the front property line and would frame and define the site's street edge. Staff is of the opinion that this relief is appropriate.
- The Zoning By-law's section pertaining to Permitted Projections Above the Height Limit (Section 64) lists the types of structures that may be permitted as a projection above the height limit. An amenity room not being on said list, relief is required in order to allow an amenity room to project above the allowable height limit on the easternmost tower. As stated above, OPA 150 policies establish maximum building heights for Arterial Mainstreets and allow greater heights when it has been demonstrated that the local area can support the added density. Given that the amenity room would be uninhabited, there would be no added impact on the site's density. Defining the amenity room as a projection will ensure that it remains uninhabited, and the zoning exception will include a specific height and area that the projection may occupy. Staff is of the opinion that this relief is appropriate.
- Section 110 of the Zoning By-law requires that parking lots containing more than 10 but fewer than 100 parking spaces have a minimum landscaped buffer of 1.5 metres along lot lines not abutting a street. When abutting the street, the minimum width of the landscaped buffer is 3 metres. The parking area at the rear as shown on the approved site plan remains untouched and reflects today's conditions. Nineteen parking spaces along the rear property line are currently located at 0.6 metres from the property line. Given that this is an existing situation and that the relief is intended to recognize the existing situation, staff is of the opinion that this relief is appropriate. Furthermore, the parking spaces near the front of the property are accessed through a drop-off loop located on the City Right-of-Way, and therefore do not have any landscaping buffer between them and the street line. Three of the eight parking spaces will also require a reduction

of permitted length due to their placement in relation to the property line. While the length of the spaces would be reduced, they would still function as regular parking spaces, but the applicant would need to obtain encroachment permits at the time of Site Plan Revision. This parking arrangement can be seen on the approved site plan; however the deficiencies come as a result of the upcoming road widening. Given that this is an existing situation and that the relief is intended to recognize the existing condition, staff is of the opinion that this relief is appropriate.

The department supports the proposed Zoning By-law amendment and is of the opinion that the proposal is consistent with the Official Plan.

### **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

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

Councillor Brockington offered the following comments:

- A previous attempt to grant this request at the Committee of Adjustment was denied.
- The Carlington Community Association opposes the request.
- The Westgate Secondary Plan currently in development with community consultation, is not incorporating language that promotes development that exceeds what is currently permitted along Carling Avenue, southside.
- Given that the preliminary Westgate redevelopment plan intends to build a number of towers, of varying heights, there is a strong desire to see the heights gradually decrease the closer they get to the residential community to the south.
- The community accepts that the Carling and Merivale corridors will be redeveloped over time, but there needs to be reasonable and smart developments that respect the current residential and commercial districts.

### **LEGAL IMPLICATIONS**

There are no legal implications associated with adopting the recommendations contained within this report. There is no procedural impediment to consideration of a



rezoning application, regardless of the outcome in respect of the application for minor variance.

### **RISK MANAGEMENT IMPLICATIONS**

No risk management implications have been identified.

### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

### **ACCESSIBILITY IMPACTS**

The Zoning By-law amendment proposal relates to additions to a building that would have been and will be constructed in accordance with the Ontario Building Code; there are no accessibility impacts.

### **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

EP2 – Support growth of local economy

TM2 – Provide and promote infrastructure to support safe mobility choices

HC1 – Advance equity and inclusion for the city's diverse population

### **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 Proposed Zoning By-law Amendment

Document 3 Approved Site Plan

Document 4 Sun Shadow Study

Document 5 Consultation Details

Document 6 Overview Data Sheet (*previously distributed and held on file*)

## **CONCLUSION**

The Planning, Infrastructure and Economic Development Department supports the application and proposed Zoning By-law amendment. The proposed development meets the strategic direction for compact and transit oriented development as contained within the PPS and Official Plan. The proposal is consistent with the Official Plan policies for Arterial Mainstreets as well as urban design and compatibility. The proposed zoning relief is appropriate for this site and maintains the zones' objectives.

The amendments represent good planning and, for the reasons stated above, staff recommends approval of the Zoning By-law amendments.

## **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.

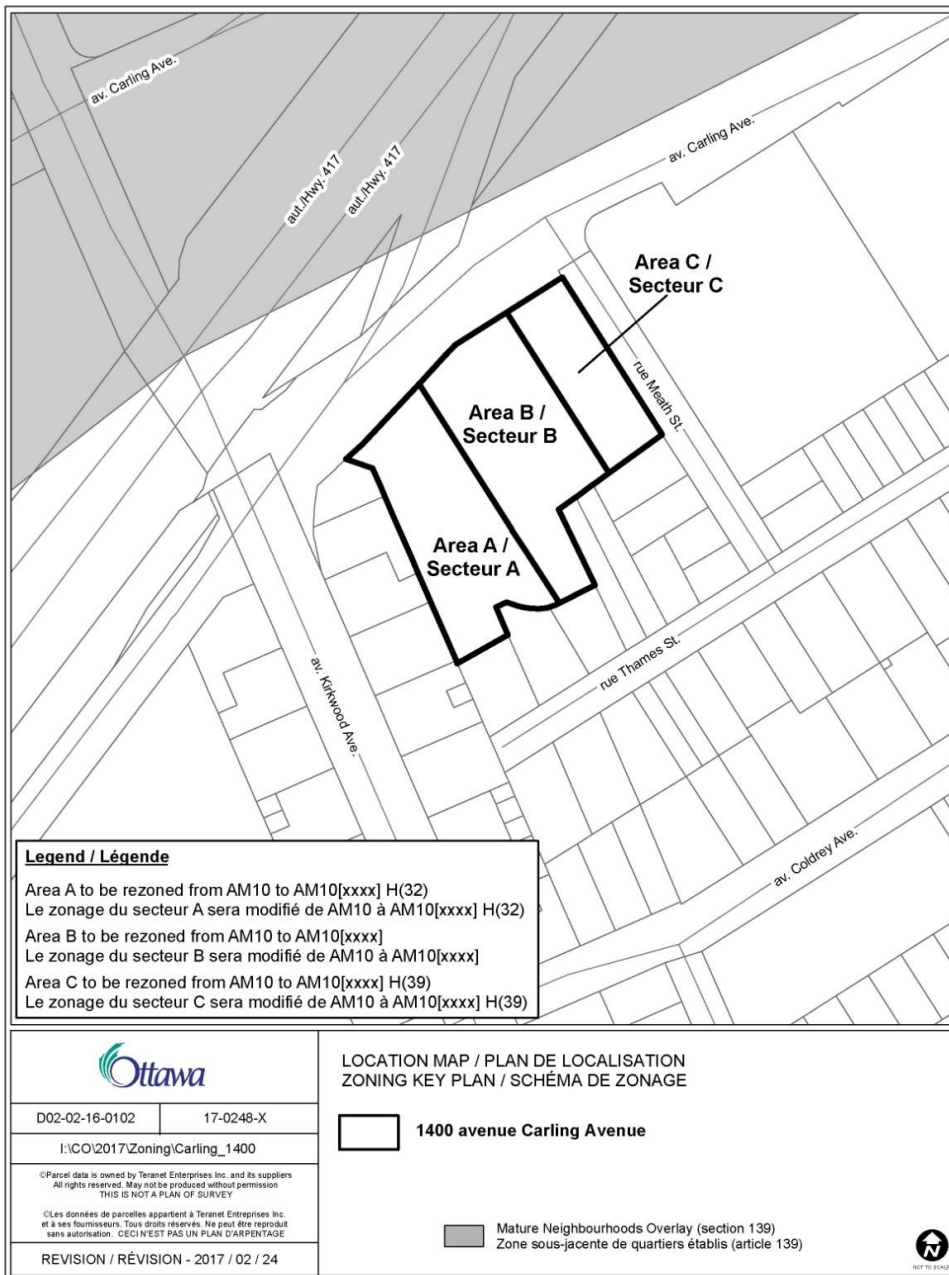
Zoning and Interpretations Unit, Planning Services to prepare the implementing by-law and forward to Legal Services.

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)



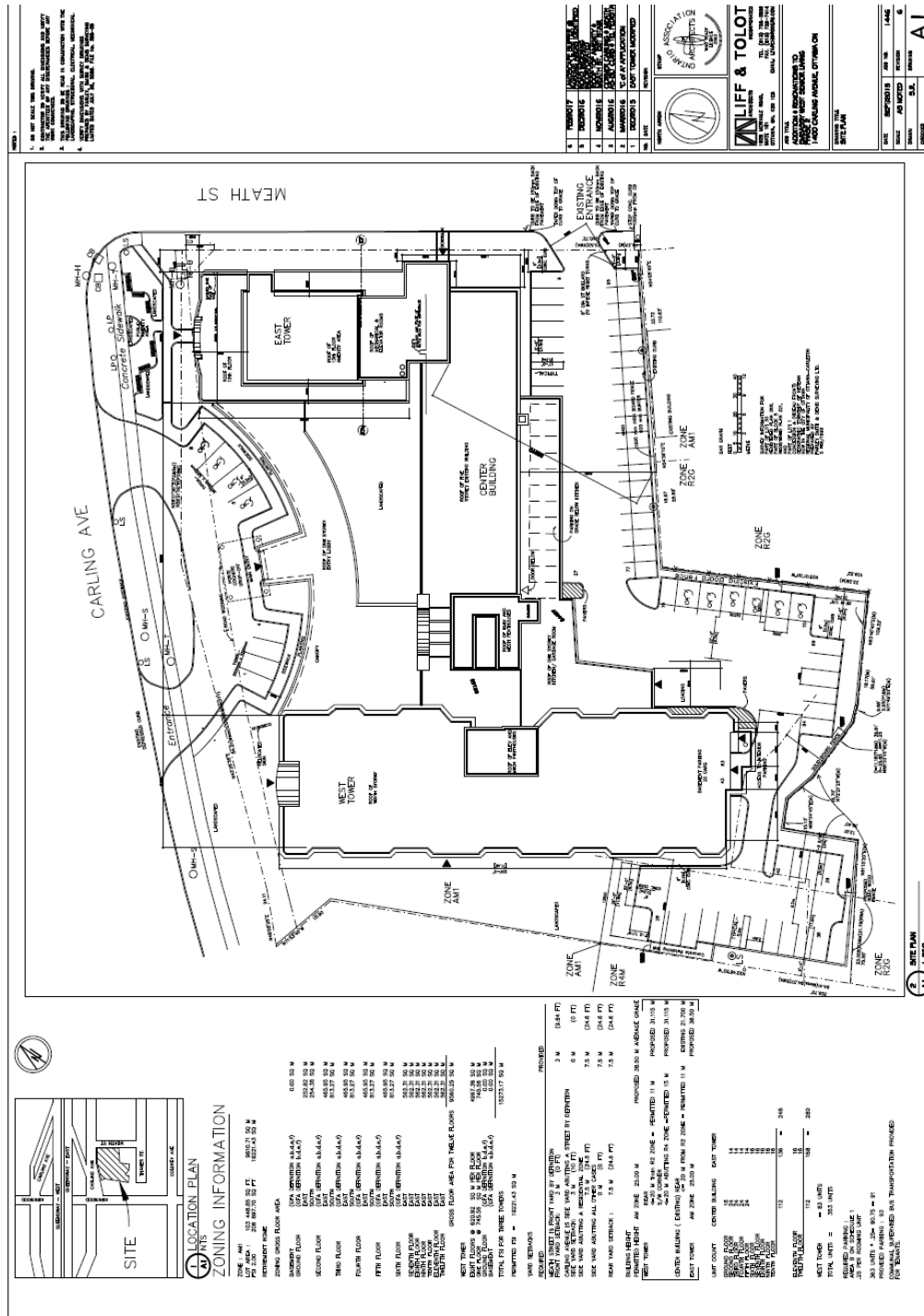
This map identifies the property located at 1400 Carling Avenue, in proximity to the Kirkwood Avenue intersection. The site is located in three sectors, identifying the different proposed heights.

## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 1400 Carling Avenue:

1. Area A shown on Document 1 to be rezoned from AM10 to AM10[xxxx] H(32)
2. Area B shown on Document 1 to be rezoned from AM10 to AM10[xxxx]
3. Area C shown on Document 1 to be rezoned from AM10 to AM10[xxxx] H(39)
4. Add a new exception, [xxxx] to Section 139, Urban Exceptions, introducing provisions similar in effect to the following:
  - a. In Column II, add the text “AM10[xxxx]”
  - b. In Column V, Provisions, text:
    - i. Despite Section 186(10)(b)(i), a minimum of 45 per cent of the frontage along the front line must be occupied by building walls located within 4.5 metres of the frontage for a Residential use building.
    - ii. Section 186(10)(e) does not apply to a residential use building.
    - iii. Indoor rooftop amenity area:
      1. Having a maximum height of 4 metres is not included in the overall height of the building,
      2. Has a maximum gross floor area of 475 square metres.
    - iv. A minimum 0.6 metre landscaped buffer is permitted to be located where it abuts the rear property line of the properties municipally known as 1351 and 1349 and where it abuts the side lot line of 824 Meath Street.
    - v. Section 110 does not apply to the parking lot that abuts the front property line.
    - vi. A maximum of three parking spaces located in a parking lot that abuts the front lot line may have a minimum parking space length of 0.6 metres.

Document 3 – Approved Site Plan



**LOCATION PLAN**

**LOCATION PLAN**  
 THE CITY OF WINDSOR, ONTARIO  
 1:10,000

**ZONING INFORMATION**

DATE: 2017.04.10  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 SCALE: AS SHOWN

**ZONING INFORMATION**

ZONE	AREA (SQ. FT.)	AREA (SQ. M.)
CENTRAL BUSINESS DISTRICT (CBD)	151,449.00	13,987.21
CENTRAL BUSINESS DISTRICT (CBD) - WEST END	204,897.75	18,927.43
CENTRAL BUSINESS DISTRICT (CBD) - EAST END	1,000.00	92.90
<b>TOTAL</b>	<b>357,346.75</b>	<b>32,917.54</b>

FLOOR	AREA (SQ. FT.)	AREA (SQ. M.)
FIRST FLOOR	151,449.00	13,987.21
SECOND FLOOR	204,897.75	18,927.43
THIRD FLOOR	1,000.00	92.90
<b>TOTAL</b>	<b>357,346.75</b>	<b>32,917.54</b>

NOTE: TOTAL AREA FOR TOWER FLOORS IS 357,346.75 SQ. FT. (32,917.54 SQ. M.)

**REQUIRED**

TYPE	AREA (SQ. FT.)	AREA (SQ. M.)
NEED TO BE MET BY THE DEVELOPER	357,346.75	32,917.54
REQUIRED BY THE ZONING BY-LAW	357,346.75	32,917.54
NOT REQUIRED	0.00	0.00
<b>TOTAL</b>	<b>357,346.75</b>	<b>32,917.54</b>

**REMARKS:**  
 - THE TOTAL AREA FOR TOWER FLOORS IS 357,346.75 SQ. FT. (32,917.54 SQ. M.)  
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**1400 CHURCH AVENUE, OTTAWA, ONTARIO K1R 6H5**

**SITE PLAN**

DATE	DESCRIPTION
2017.04.10	APPROVED SITE PLAN
2017.04.10	FINAL REVISIONS
2017.04.10	ISSUED FOR PERMITTING
2017.04.10	FOR REVIEW

**PLANNING COMMITTEE  
REPORT 41  
12 APRIL 2017**

**129**

**COMITÉ DE L'URBANISME  
RAPPORT 41  
LE 12 AVRIL 2017**

## **Document 5 – 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.

### Public Comments and Responses

#### Comment:

I am in favour of the project being proposed. I would like to see other property owners in the area propose similar developments.

#### Comment:

I am not concerned about the proposed height, but I'm rather concerned about the cumulative impacts that all of the projects along Carling will have if they are only assessed independently, such as traffic impacts.

Response: Being considered as somewhat of an engine of growth for the area, the nearby Westgate Lands redevelopment has required a secondary planning process, which outlines a long-term vision for the area. This Secondary Plan will ensure that development which falls within the boundaries of its study area (such as the lands at 1400 Carling Avenue) can occur while meeting the intent of this long-term vision.

### Community Organization Comments and Responses (Carlington Community Association):

#### Comment:

The currently allowable height of 30 metres is acceptable. Anything higher is not acceptable. The 22-storey building at 1316 Carling Avenue should not be considered as it is legal non-complying.

#### Response:

The proposal meets OPA 150's requirements for considering taller buildings along Arterial Mainstreets and the proposed towers are set back from the nearby residential neighbourhood.

**Comment:**

There are concerns about sun shadowing in the evening. We are asking for a study to be provided.

**Response:**

A sun shadow study was submitted in response to this comment. It is included in this report under Document 4.