

5. ZONING BY-LAW AMENDMENT – 541 AND 545 RIDEAU STREET
MODIFICATION AU RÈGLEMENT DE ZONAGE – 541 et 545, RUE RIDEAU

COMMITTEE RECOMMENDATIONS, AS AMENDED

That Council approve:

1. an amendment to Zoning By-law 2008-250 for 541 and 545 Rideau Street to permit a nine storey mixed-use building and semi-detached dwelling, as detailed in Document 3, as amended by the following:
 - a. That Document 3 be amended as follows:
 - i. In Column III – Additional Land Uses Permitted, add:
“semi-detached dwelling”
 - ii. In Column V, add the text: “• A semi detached dwelling may only front along Cobourg Street”
 - b. that, pursuant to the *Planning Act*, subsection 34(17), no further notice be given.

RECOMMANDATIONS DU COMITÉ, TEL QUE MODIFIÉS

Que le Conseil approuve:

1. une modification au Règlement de zonage 2008-250 relativement aux 541 et 545, rue Rideau, afin de permettre un immeuble polyvalent de neuf étages et une maison jumelée, comme le précise le document 3, dans sa version modifiée par ce qui suit :
 - a. Que le document 3 du rapport du personnel ACS2018-PIE-PS-0053 soit modifié comme suit :
 - i. À la colonne III – Utilisations du sol additionnelles permises, ajouter : «une maison jumelée»;
 - ii. À la colonne V, inscrire : «• La façade d'une maison

**jumelée doit nécessairement donner sur la rue
Cobourg».**

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

DOCUMENTATION /DOCUMENTATION

1. Director's Report, Planning Services, Planning, Infrastructure and Economic Development Department dated August 1, 2018 (ACS2018-PIE-PS-0053)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'Infrastructure et du développement économique daté le 1 août 2018 (ACS2018-PIE-PS-0053)
2. Extract of draft Minutes, Planning Committee, 28 August 2018

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 28 août 2018

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
28 August 2018 / 28 août 2018**

**and Council
et au Conseil
12 September 2018 / 12 septembre 2018**

**Submitted on 1 August 2018
Soumis le 1er août 2018**

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

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

**Contact Person / Personne ressource:
Simon Deiaco, Planner III / Urbaniste III, Development Review Central / Examen
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Ward: RIDEAU-VANIER (12)

File Number: ACS2018-PIE-PS-0053

SUBJECT: Zoning By-law Amendment – 541 and 545 Rideau Street

OBJET: Modification du Règlement de zonage – 541 et 545, rue Rideau

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 541 and 545 Rideau Street to permit a nine storey mixed-use building and semi-detached dwelling, as detailed in Document 3.**

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 September 2018", 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 541 et 545, rue Rideau, afin de permettre un immeuble polyvalent de neuf étages et une maison jumelée, comme le précise le document 3.
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 septembre 2018», à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

BACKGROUND

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

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

Site location

541 and 545 Rideau Street

Owner

Chenier Development Corp

Applicant

FoTenn Planning + Design

Architect

Chamberlain Architects and Barry Padolsky Associates Inc.

Description of site and surroundings

The site is located on the northeast intersection of Rideau Street and Cobourg Street. The property is 1,345 square metres in size and has frontage along Rideau Street and Cobourg Street. In this area, Rideau Street links the Vanier community and Montreal Road to the east with the Byward Market and the central business district to the west. On the subject site there is a building that is to be removed as part of the redevelopment proposal. The existing structure will be reconstructed along the Cobourg Street frontage as a separate building from the proposed nine storey mixed use building.

Summary of requested Zoning By-law amendment proposal

The property is zoned TM6 F(3.5) H(19) – Traditional Mainstreet Subzone 6 with a maximum floor space index (F.S.I.) of 3.5 and a building height of 19 metres. A minor rezoning application is required to permit the proposed development as shown on Documents 5 and 6. To implement the proposed development concept, the applicant is seeking the following site-specific performance standards as shown in Document 3.

The mixed-use development proposes to have commercial uses at grade, with 114 residential units on the floors above. The building has been designed so that the first three floors create a podium, responding to the surrounding low- and mid-rise developments and drawing on elements of the relocated building along the Cobourg Street frontage. The upper volume of the building has been designed to be distinct from the podium.

The proposal intends to recreate the façades of the existing building by reconstructing it along Cobourg Street. The reconstructed building is proposed to function as a semi-detached dwelling and will share parking and amenities with the principal building.

The new nine-storey building will provide amenity space through private terraces, a rooftop patio and common interior spaces on the ground floor. The total number of parking spaces proposed is 53, which includes 10 visitor parking stalls. Vehicles will

access the two levels of underground parking from Cobourg Street. The development also proposes 56 bicycle indoor parking stalls.

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. The applicant's design team has met numerous times with both the Lowertown Community Association and Action Sandy Hill to discuss the project through its various design evolutions. Through the public commenting period, a total of seven comments were received, including comments from the Lowertown Community Association. Two comments raised concerns with the project, one comment was in support and the remaining comments requested information or to stay informed on the project.

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

Official Plan

The property is designated Traditional Mainstreet on Schedule B of the Official Plan (OP). Section 3.6.3 of the OP speaks to Traditional Mainstreets providing the most significant opportunities for intensification through medium-density and mixed-use development. Such streets are planned to be compact, mixed-use and pedestrian-oriented. A broad range of uses are permitted on Mainstreets including retail, commercial, office and residential. Focusing intensification on Mainstreets allows for more convenient services for adjacent communities and more efficient use of transit.

Uptown Rideau Secondary Plan

The subject property is designated as Traditional Mainstreet on Schedule A – Planning Area and Land Use of the Uptown Rideau Secondary Plan. The Secondary Plan reflects the dynamics of this downtown main street and recognizes the considerably varied physical and contextual conditions of different properties.

Schedule B – Baseline Building Heights and Maximum Densities designates the property as having a maximum floor space index of 5.0 and a maximum height of nine stories. The proposed development concept is consistent with the policy direction of the

Secondary Plan with respect to height and density. The proposal, as shown on Document 5, represents an F.S.I. of 4.5 within the nine-storey building.

Urban Design Review Panel

The property is within a Design Priority Area and the Zoning By-law Amendment application and Site Plan Control application were subject to the Urban Design Review Panel (UDRP) process. The applicant presented their proposal to the UDRP at a formal review meeting, which was open to the public on May 2, 2018.

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

General Comments

The Panel commends the applicant for the ambitious reconstruction scheme to laser scan and reconstruct the Second Empire house on the property, and incorporate the house into the development proposal. The reconstructed house with original heritage architectural elements will be a desirable addition to the Cobourg Street streetscape and will transition well to Macdonald Gardens.

The Panel generally feels that improvements to the new building can be achieved through an approach that considers the base, middle and top as a clear architectural expression.

Street Level and Podium

The Panel appreciates the level of detail in the podium design, and agrees that it will result in a rich experience for pedestrians walking past. The Panel strongly encourages, however that the middle part of the building is stepped back from the podium, on all sides.

The Panel believes the horizontal stone banding along the podium to be excessive; limiting the banding to the upper floor of the podium will enhance the Art Deco expression.

Architectural Expression of Middle and Top

The Panel is of the opinion that the Second Empire, Art Deco and commercial styles need to connect better through the base, middle and top of the building.

The Panel is concerned that the east façade is blank, and the adjacent site may not be developed for up to 10 to 15 years. Articulate the east façade by introducing windows or

decorative elements, and by stepping back the tower from the podium. The tower expression should also wrap around the penthouse.

The Panel is concerned that the blank six-storey corner detail at the corner of Cobourg and Rideau Street is stark and does not help to animate the street corner. The Panel recommends eliminating the blank slot, and instead articulating the floor levels. The Panel also recommends adding a canopy at the corner to add some interest and enhance the building entrance.

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

The revised building elevations are a significant departure from the original concept brought forward to the panel for consideration. The revised elevations responded positively to the design comment from the Panel session. The change in direction has resulted in a contemporary architectural expression that addresses the panel comments with respect to the east façade, which has a new patterned texture; the treatment of the building at the corner of Cobourg Street and Rideau Street with glass and brick detailing; revised building materials above the podium and the overall redesign of the base, middle and top components of the building, which have been given equal design attention.

Planning rationale

In considering the proposed Official Plan amendment, the key policy considerations are found within the consolidated Official Plan (2003), policies contained within Official Plan Amendment 150 (OPA 150) as well as the Uptown Rideau Street Secondary Plan.

Official Plan

To meet the challenge of managing growth, City Council endeavors to do so in ways that support livable communities and healthy environments. As a strategic direction, among others in the Official Plan, Policy 2.1 states that growth will be directed to areas where services exist as well as where there are a mix of uses, locations that are easily assessable by transit and that encourage walking and cycling. Growth will be directed to areas where it can be accommodated in a compact mixed-use development.

Policy 2.2.2.4 states that the Central Area, designated Mainstreets, Town Centres and Mix Use Centres will be target areas for intensification. Intensification may occur in a variety of built forms from low-rise to high-rise, provided urban design and compatibility objectives are met.

Policy 3.6.3.9 states that surface parking will not be permitted between the building and the street and that the location of surface parking will avoid interruption of a continuous built edge. Policy 3.6.3.10 builds on this by encouraging a building format that defines and encloses the street edge with active uses.

The proposed building program responds to this policy direction with new built form edges along both the Cobourg Street and Rideau Street frontages and a mix of uses at grade. The project also proposes two levels of underground parking, which is accessed from Cobourg Street, which further reinforces the applicable Mainstreet policies.

Policy 3.6.3.12 of OPA 150 outlines that building heights greater than six stories will only be permitted through a Secondary Plan. As noted, the Uptown Rideau Street Secondary Plan identifies the site as having a maximum nine-storey height limit, which is consistent with OP policy for the location of taller buildings along Traditional Mainstreets.

Built Form and Compatibility

Section 2.5.1 of the Official Plan provides policy direction on urban design and community compatibility. The Plan encourages good urban design. Quality and innovative architecture can also stimulate the creation of lively community places with distinct character that will attract people and investment to the city. Section 2.5.1 of the Official Plan sets out principles and broad design objectives as qualitative statements on how the City will influence the evolution of the built environment. Compatible development means development that is not necessarily the same as existing buildings in the vicinity but nonetheless enhances an established community and coexists without causing undue adverse impact on surrounding properties. The objectives that are most applicable to the proposal are focused on enhancing the sense of community, providing quality public and private spaces through development and ensuring that new development respects the character of existing areas.

With respect to defining quality public and private spaces through development, the introduction of a wider sidewalk along Rideau Street at the intersection of Cobourg Street is a significant public realm-making feature along a prominent street within the core of the city.

The policy objectives that speak to creating places that are safe, accessible and are easy to get to and move through have been met. At the neighbourhood scale, the site is located at a key intersection in the Lowertown community, which is currently signalized.

To reduce pedestrian and vehicular conflicts, the access to the underground parking garage will be from the secondary street, towards the northern end of the site. Clear glazing at grade and a proposed range of uses in the podium will allow for the potential of active storefronts and higher pedestrian traffic to serve both tenants of the building and the local community.

Lastly, to ensure that new development respects the character of existing areas, the proposed massing and volume of the development is consistent with and implements the specific policy direction of the Uptown Rideau Secondary Plan as outlined below.

In addition to those matters set out in Section 2.5.1, Section 4.11 of the Official Plan provides more quantitative considerations to evaluate the compatibility of development applications. The criteria will vary depending on the proposal and the planning context. When considering the situation, individual criteria may not apply and/or may be evaluated and weighted on the basis of site circumstances.

Traffic: A traffic study has been submitted in support of the application. Minor roadway modifications will be required at the new access along Cobourg Street, which will be implemented through the Site Plan Control application.

Vehicular access: Access to the site will be from Cobourg Street, with no access from Rideau Street thereby mitigating any potential impacts on the higher order street.

Parking requirements: The project proposes a total of 53 parking spaces with 43 spaces dedicated to residents and 10 spaces for visitors. The project also proposes to provide 56 bike parking spaces, which meets and exceeds the by-law requirements.

Outdoor amenity areas: While these are Site Plan Control issues, there are no anticipated negative impacts on the outdoor amenity areas of nearby residential properties. The project incorporates amenity space for residents of the new building.

Lighting: There are no anticipated negative impacts from lighting generated on-site onto adjacent residential properties. Through the Site Plan Control process, the application will be required to demonstrate the project meets City standards with respect to light-spill over.

Sunlight: While all buildings create and cast shadows, the applicant has prepared a sun/shadow study in support of the proposed development. The proposed impacts from the as-of-right building volume are consistent with the taller nine-storey program. Given

the orientation of the site in a north-south alignment, shadows would move quickly through the area, creating minimal impacts.

Uptown Rideau Secondary Plan

The built form approach of the Uptown Rideau Secondary Plan is to establish consistent mid-rise building heights and density while allowing for the exploration of alternative built form under specific conditions without increasing density. Design principles are also provided as general guidance for different built forms.

The proposed development introduces retail and/or commercial uses at grade along with the principle pedestrian access to the lobby of the building. A high amount of clear glazing at grade is proposed along both the Rideau Street and Cobourg Street frontages, which is consistent with the Core Principles and Key Directions contained within Policy 4.2 that requires new buildings to frame Rideau Street. As well, the project introduces an appropriate, lower-scale podium, which steps backs above the fourth storey to further emphasize the desired human scale along the street edge.

The proposed development is also consistent with the applicable Secondary Plan policies of Section 5.2, Heights and Density and Section 5.4 – Built Form Principles. The project locates appropriate uses at grade to achieve an active building frontage along the public realm and introduces a high amount of transparency. Utility rooms and service areas of the building are also outside of the public view along Rideau Street.

For mid-rise buildings, the Secondary Plan speaks to a base-middle-top design approach, which the revised development concept successfully implements based on feedback from staff and the Urban Design Review Panel. As well, as the site fronts along two active street frontages, the visual impact of the corner of the building has been significantly revised to reflect its prominence.

Provincial Policy Statement

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

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Fleury provided the following comments:

"There has been a conscious effort on the part of the applicant to engage the community in all aspects of this project. This can be seen in the number of times the applicant has reached out to community stakeholders to gain feedback since the initial submission of the project.

We are supportive of the protection and reconstruction of the heritage building. It is paramount that the design outcome compliment the original building, be sympathetic to the heritage character of Lowertown, and be sensitive to the needs of the neighbours.

This property meets the goals of our traditional main streets, with ground floor commercial and residential above. That being said, we recognize that it can feel high for some immediate neighbours. The materials proposed do seem of higher quality and integrates well with the heritage elements of the property."

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the recommendations contained within this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with the recommendations of 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 buildings will be required to meet the accessibility criteria contained within the Ontario Building Code. Depending on the time of construction, the *Accessibility for Ontarians with Disabilities Act* requirements for site design may also apply and will be reviewed through the Site Plan Control process.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

C1 – Contribute to the improvement of my quality of life.

EP2 – Support growth of local economy.

APPLICATION PROCESS TIMELINE STATUS

The application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity of the issues related to the design of the site and addressing the treatment of the existing structure on the site.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Zoning Key Plan

Document 3 Details of Recommended Zoning

Document 4 Consultation Details

Document 5 Conceptual Building Elevations

Document 6 Concept Site Plan

CONCLUSION

The proposed Zoning By-law Amendment implements the applicable policies and strategic directions that speak to managing growth and directing such growth to target areas such as Traditional Mainstreets. The proposed building massing and height is consistent with the Official Plan policies that speak to development along Traditional Mainstreets and is also consistent with the policy direction of the Uptown Rideau Street Secondary Plan.

DISPOSITION

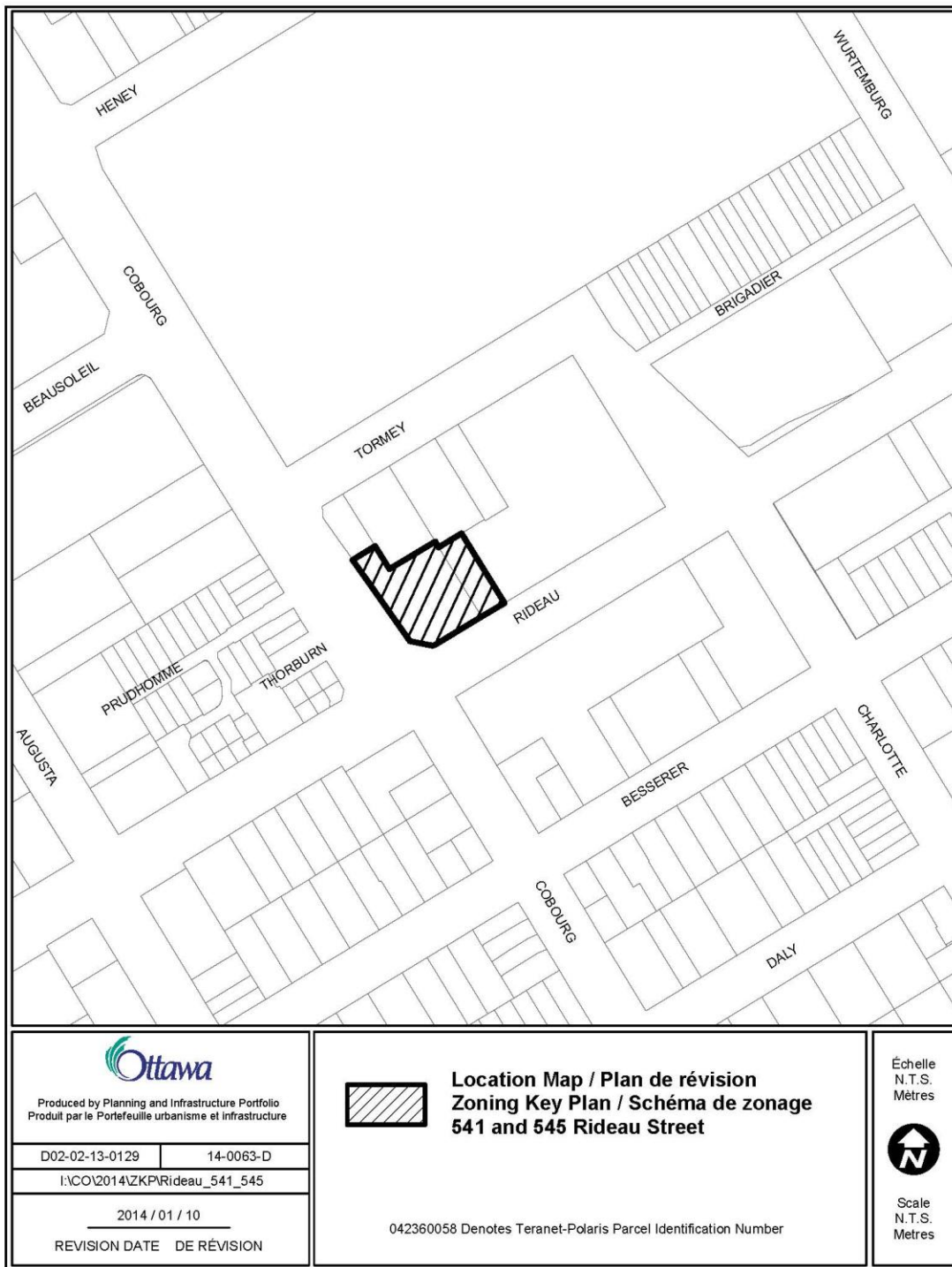
Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

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

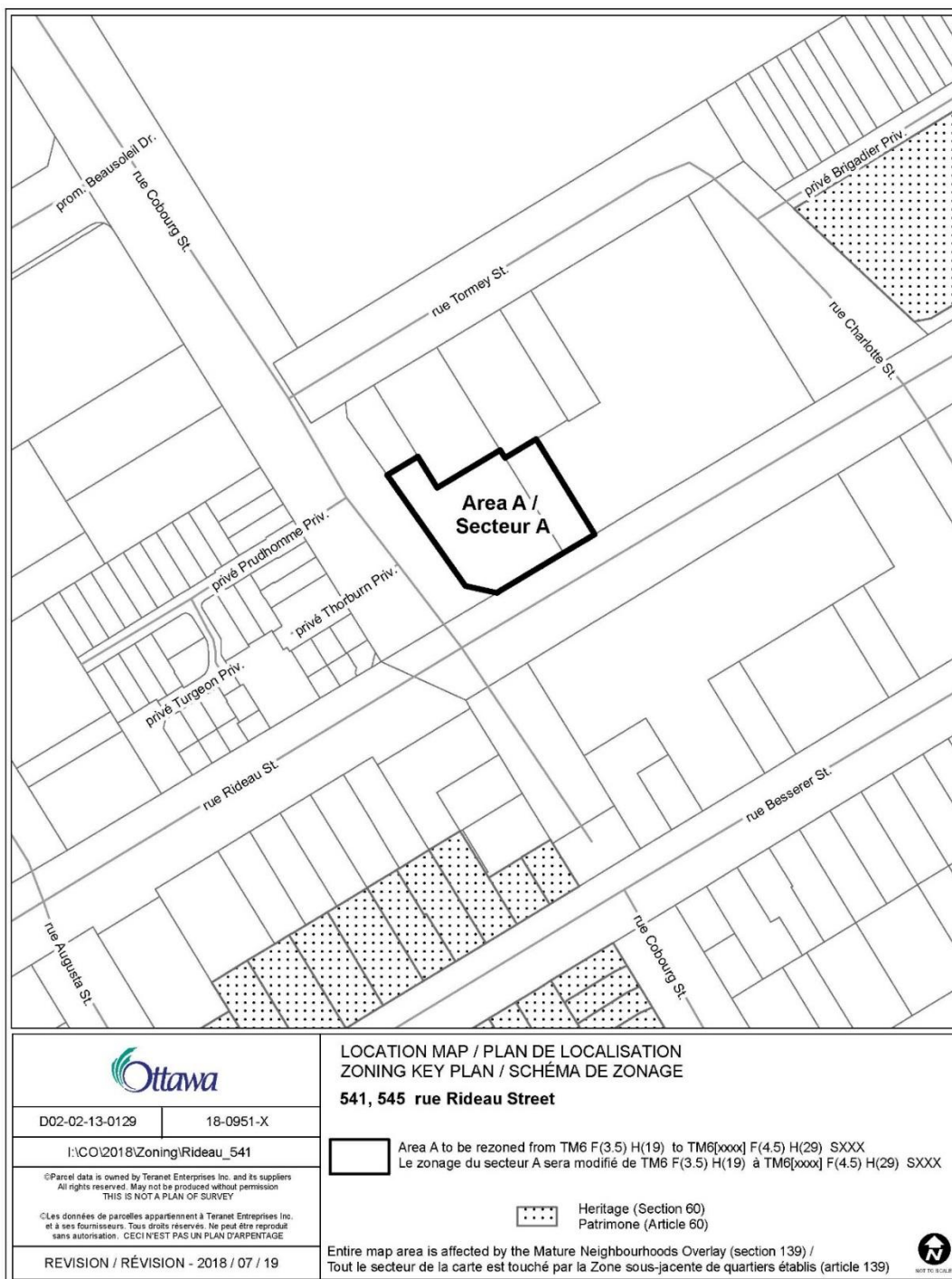
Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

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

Document 1 – Location Map



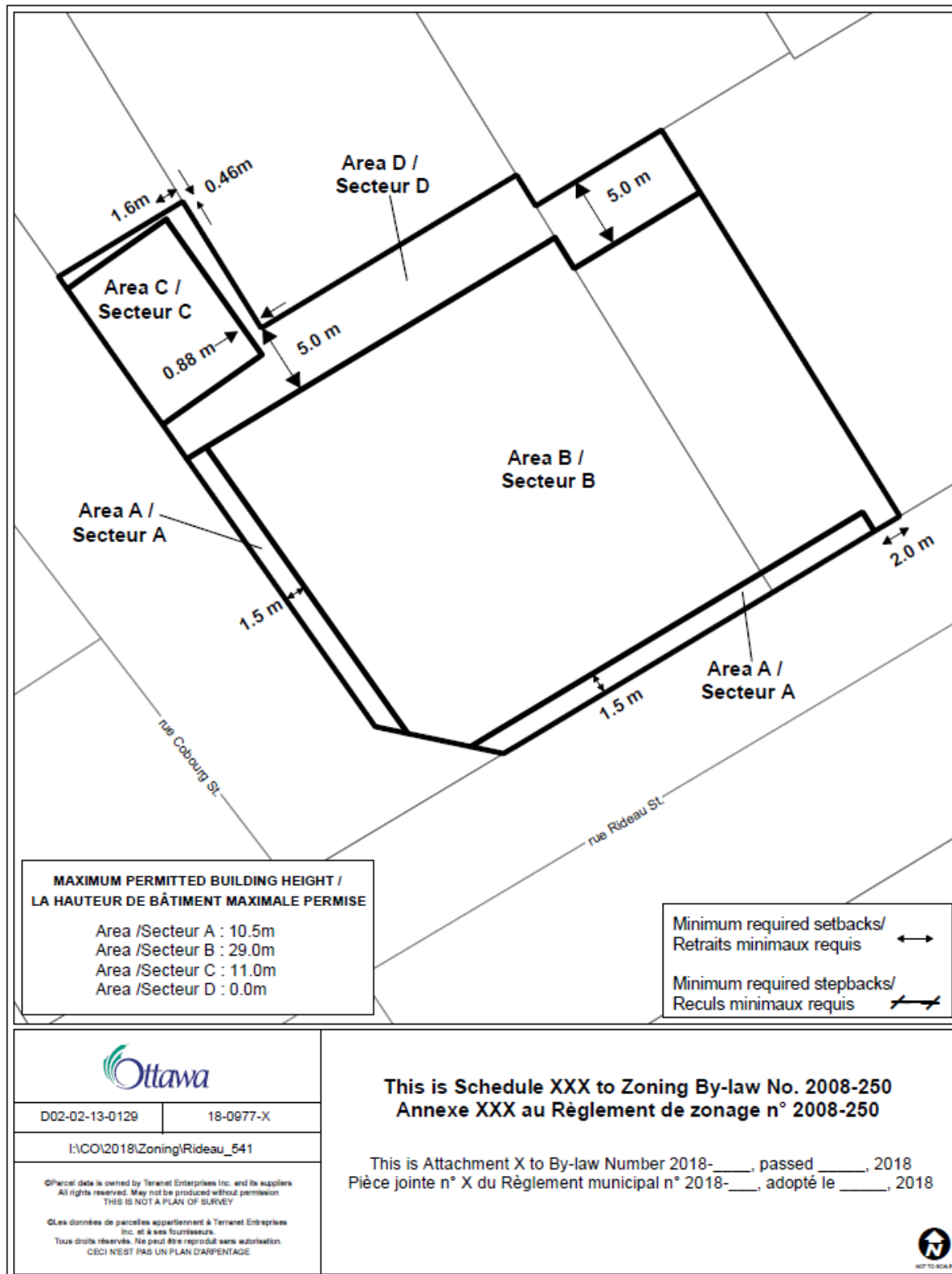
Document 2 –Zoning Key Plan



Document 3 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 541 and 545 Rideau Street.

1. Rezone the lands shown in Document 2 from TM6 F(3.5) H(19) to TM6[XXXX], Schedule XXXX F(4.5) H(29)
2. Amend exception 1967 to Section 239, Urban Exceptions, with provisions similar in effect to the following:
 - a. In Column V, add the text:
 - Minimum Building Height 6.7m.
 - Maximum building heights, minimum required setbacks, and minimum required setbacks are as per Schedule XXXX.
 - Despite Section 101 – minimum required parking is 43 spaces.
 - Despite Section 102 – minimum visitor parking spaces is 10.
 - Despite Section 137, the minimum total amenity area is 330 sq.m. of which 240 sq.m. must be communal amenity space.



Document 4 – 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. The applicants design team has met numerous times with both the Lowertown Community Association and Action Sandy Hill to discuss the project through the various design evolutions. Through the public commenting period a total of seven comments were received, including comments from the Lowertown Community Association. Two comments raised concerns with the project, one comment was in support, and the remaining comments requested information or to stay informed on the project.

Public Comments and Responses

1. Concerns were raised with respect to the landscaping treatment and area for pedestrians along both street frontages.

Response:

Through the Site Plan Control process the details with respect to landscaping will be finalized. The general approach along Rideau Street is for a more urban landscaping treatment with tree wells. The additional road widening required will increase the sidewalk area. Along the Cobourg Street edge the landscaping plan will include a boulevard and sidewalk to reflect the changing condition along this edge, which is more residential in nature.

2. Concerns were raised about the setback along Cobourg Street.

Response:

The proposed building setback along Cobourg Street is generally consistent with the pattern of development along this street. Residential buildings on the west side of Cobourg are set back further traditionally to accommodate surface and parking garages. As the project proposes underground parking for the apartment building, the overall impact on the street is improved with less visible parking while also providing areas for soft landscaping along this edge, which is consistent with the streets residential nature.

3. Concerns were raised with respect to the amount of parking proposed for the project.

Response:

The project proposes 53 parking stalls of which 10 spaces are dedicated for visitor parking and 43 for residents, whereas the by-law requires 51. Given the location of the project within a reasonable walking distance to employment and intuitional uses, along with existing bus transit service in the area, the reduction in required parking is reasonable. The required rate for visitor parking has not been reduced.

4. Concerns were raised with respect to the proposed garage entrance along Cobourg Street.

Response:

The proposed parking entrance has been located along Cobourg Street as this is the secondary road which the site abuts, and more desirable for access when compared to Rideau Street. The location of the garage has been directed as far north as possible from the existing signalized intersection to reduce any potential conflicts. The final design of the garage entrance will form part of the Site Plan Control approval.

5. Clarification was requested with respect to the recent landscaping elements that were installed as part of the Rideau Street reconstruction.

Response:

As part of the landscape plan to be approved through the Site Plan Control process the existing low concrete wall and artwork will be removed. The artwork will be relocated at the intersection whereas the low wall will not be reconstructed as it interferes with the proposed entrance to the building. The intersection and public realm will function similarly to the northwest intersection of Rideau Street and Cobourg Street.

Lowertown Community Association

Dear Mr. Deiaci,

This is to inform you that, in response to an invitation from the Chenier Group, a group of five community representatives met with Gaetan Chenier on Thursday evening, June 21, 2018 to discuss the proposed design changes to the apartment development at 541 Rideau Street. Four of the participants were from the Lowertown Community Association (LCA) and the fifth from the Watergate Tenants Association.

During our hour-long conversation, Mr. Chenier explained the nature and extent of the changes and took us through the appropriate renderings that illustrated what is being proposed. Although there was some initial concern about the degree to which there is now a distinct architectural contrast between the proposed apartment building and the rebuild of the heritage structure on the Cobourg side of the property, the group was satisfied that the use of different materials and the addition of extensive articulation constitutes a significant improvement to the design of the proposed structure.

Based on the current design improvements, and accepting that there may be additional limited adjustments in both design and materials, the LCA is likely to endorse the project proposal after it has been tabled in August with the City Planning Committee.

Finally, this was the sixth consultation session with the community at the invitation of the Chenier Group. The willingness to listen to the concerns and suggestions from the community serves as a model for public consultation in the planning and development process.

Yours sincerely,

Liz Bernstein

President, Lowertown Community Association

Document 5 – Conceptual Elevations



Document 6 – Concept Site Plan

