

**2. ZONING BY-LAW AMENDMENT – 1040 BANK STREET**  
**MODIFICATION AU RÈGLEMENT DE ZONAGE – 1040, RUE BANK**

**COMMITTEE RECOMMENDATION AS AMENDED**

**That Council consider the following report recommendation, as referred by Planning Committee:**

1. That Council approve an amendment to Zoning By-law 2008-250 for 1040 Bank Street to permit a mixed-use development, as detailed in Documents 2 and 3.

**RECOMMANDATION DU COMITÉ, TELLE QUE MODIFIÉE**

**Que le Conseil prenne acte de recommandation du rapport suivante présentée par le Comité de l'urbanisme :**

1. Que le Conseil approuve une modification au *Règlement de zonage 2008-250* pour permettre la réalisation d'un aménagement polyvalent au 1040, rue Bank, comme décrit en détail dans les documents 2 et 3.

**FOR THE INFORMATION OF COUNCIL**

The committee approved the following motion:

WHEREAS the City of Ottawa Official Plan recognizes the cultural heritage resource significance of the Rideau Canal UNESCO World Heritage Site; and

WHEREAS in Section 4.6.3 – River and Canal Corridors, Policy 1a, the City of Ottawa Official Plan commits the City to “conserve the natural environment, cultural heritage, scenic qualities and recreational potential of the Rideau Canal World Heritage Site”; and

WHEREAS much concern would be alleviated by lowering the height from

the maximum permitted height recommended in the Staff Report,  
Document 3;

THEREFORE BE IT RESOLVED THAT Staff be directed to work with the  
applicant on amendments to the proposal to attempt to achieve the objective  
identified herein; and

THAT Planning Committee refer to Council the amendment to Zoning By-law  
2008-250 in respect of 1040 Bank Street..

POUR LA GOUVERNE DU CONSEIL

Le Comité a approuvé la motion suivante :

ATTENDU QUE le Plan officiel de la Ville d'Ottawa reconnaît la valeur  
culturelle patrimoniale du canal Rideau, désigné site du patrimoine mondial  
de l'UNESCO ; et

ATTENDU QUE la politique 1a) du Plan officiel (section 4.6.3 – Couloirs  
fluviaux et canaux) prévoit que « la Ville préservera l'environnement naturel,  
le patrimoine culturel, la qualité pittoresque et les possibilités récréatives [...] du site du patrimoine mondial du canal Rideau » ;

ATTENDU QUE le fait de diminuer la hauteur par rapport à la hauteur  
maximale permise recommandée dans le rapport du personnel (document 3)  
permettrait d'éliminer bon nombre de ces préoccupations ; et

PAR CONSÉQUENT, IL EST RÉSOLU QUE l'on demande au personnel de  
travailler avec le demandeur pour modifier la proposition afin d'atteindre les  
objectifs décrits aux présentes ; et

IL EST EN OUTRE RÉSOLU QUE le Comité de l'urbanisme renvoie au  
Conseil la modification du Règlement de zonage (no 2008-250) concernant  
le 1040, rue Bank.

**DOCUMENTATION/DOCUMENTATION**

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated 13 November 2017 (ACS2017-PIE-PS-0134)  
  
Rapport de la Directrice, Service de la planification, Direction générale de la planification, de l'infrastructure et du développement économique daté le 13 novembre 2017 (ACS2017-PIE-PS-0134)
2. Extract of draft Minutes, Planning Committee, 28 November 2017  
  
Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 28 novembre 2017
3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of 31 January 2018, 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 31 janvier 2018 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  
28 November 2017 / 28 novembre 2017**

**and Council / et au Conseil  
December 13, 2017 / 13 décembre 2017**

**Submitted on November 13, 2017  
Soumis le 13 novembre 2017**

**Submitted by  
Soumis par:  
Lee Ann Snedden,  
Director / Directrice,  
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:  
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Ward: CAPITAL (17) / CAPITALE (17)      File Number: ACS2017-PIE-PS-0134**

**SUBJECT:   Zoning By-law Amendment – 1040 Bank Street**

**OBJET:      Zoning By-Law Amendment – 1040 Bank Street**

**REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1040 Bank Street to permit a mixed-use development, as detailed in Documents 2 and 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 13 December 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 d'urbanisme recommande au Conseil d'approuver une modification au *Règlement de zonage 2008-250* pour permettre la réalisation d'un aménagement polyvalent au 1040, rue Bank, comme décrit en détail dans les documents 2 et 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 13 décembre 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

Southminster United Church is located at 1040 Bank Street. Windmill Development Group, acting for Southminster United Church, wishes to redevelop the lands at 1040 Bank Street. The existing church building would be retained and the basement would be renovated to house community uses. The assembly hall at the rear would be demolished. In its place, the Windmill Development Group proposes to construct four townhouses and a six-storey, 14-unit apartment building.

The lot measures 3,188 square metres in area. It is located within the Old Ottawa South neighbourhood, and is bounded by Bank Street to the east, Aylmer Avenue to the south, Galt Street to the west, and National Capital Commission (NCC) lands to the north. The main place of worship building was built in 1932, and the assembly hall, Memorial Hall, was built in 1955.

The subject lands are designated Traditional Mainstreet within the Official Plan, which is a target area for intensification, characterized by more compact urban forms of development, a lively mix of uses and a more pedestrian-friendly environment.

The lands are currently zoned Minor Institutional, Subzone A (I1A), which permits a range of community and institutional land uses, but does not permit residential uses. Windmill Development Group has submitted a Zoning By-law amendment application to rezone the lands to a site-specific Traditional Mainstreet zone to permit the redevelopment of the rear of the lands. The requested Zoning By-law amendment is for a Traditional Mainstreet zone, with an exception for townhouses, continuing institutional uses and performance standards (Document 2) and a zoning schedule to address site-specific heights and setbacks (Document 3).

#### Public Consultation/Input

A community information and comment session was held on Monday, September 11 at Southminster United Church and 178 residents signed attendance sheets. Councillor Chernushenko and representatives from both the Old Ottawa South Community Association (OOCSA) and Development Watch Southminster attended.

A total of 385 people have commented on the Zoning By-law application or have asked to be kept informed of the decision related to the proposal. The chief concerns on the rezoning relate to the requested height, impacts to views from the Rideau Canal, impacts to trees, and the perceived incursion of higher-density uses into the lower-density neighbourhood. An overview of general concerns and staff responses is presented in Document 4.

## **RÉSUMÉ**

#### Hypothèse et analyse

L'église Southminster United Church est située au 1040, rue Bank. Le Windmill Development Group, agissant pour l'église Southminster United Church, souhaite réaménager les terrains situés au 1040, rue Bank. On compte conserver l'église actuelle et en rénover le sous-sol en vue d'utilisations communautaires. La salle de réunion située à l'arrière serait quant à elle démolie. À la place, le Windmill Development Group propose de construire quatre maisons en rangée et un immeuble de six étages comptant 14 unités d'habitation.

Le lot, qui mesure 3 188 mètres carrés, est situé dans le quartier Vieil Ottawa-Sud et est bordé à l'est par la rue Bank, au sud par l'avenue Aylmer, à l'ouest par la rue Galt et

au nord par les terrains de la Commission de la capitale nationale (CCN). Le bâtiment principal du lieu de culte a été construit en 1932, tandis que la salle de réunion (salle Memorial) a été construite en 1955.

Les biens-fonds en question, qui portent la désignation « rue principale traditionnelle » dans le Plan officiel et qui sont d'intérêt pour la densification, se caractérisent par des formes d'aménagement plus compactes, par un mélange dynamique d'utilisations et par un environnement qui favorise les déplacements à pied.

La désignation actuelle des biens-fonds dans le Règlement de zonage de la Ville, à savoir « zone de petites institutions, sous-zone A » (I1A), permet un éventail d'utilisations communautaires et institutionnelles, mais pas les utilisations résidentielles. Le Windmill Development Group a soumis une demande de modification au Règlement de zonage pour faire passer les biens-fonds dans la désignation « rue principale traditionnelle » afin de permettre le réaménagement de la partie arrière des biens-fonds. La modification demandée au Règlement de zonage vise une désignation « rue principale traditionnelle » (à l'exception des habitations en rangée), le maintien des utilisations institutionnelles et des normes de rendement (document 2) et une annexe sur le zonage pour tenir compte des hauteurs et des retraits propres au site (document 3).

#### Consultation publique

Une séance d'information et de consultation de la collectivité a eu lieu le lundi 11 septembre à l'église Southminster United Church; 178 résidents ont signé les feuilles de présence. Le conseiller Chernushenko ainsi que des représentants de l'Association communautaire du Vieil Ottawa-Sud (ACVOS) et du groupe communautaire Development Watch Southminster étaient présents.

En tout, 385 personnes ont formulé des commentaires sur la demande de modification au Règlement de zonage ou ont demandé à être informées de la décision prise à l'égard du projet. Les principales préoccupations au sujet de la modification du zonage sont liées à la hauteur demandée, aux répercussions sur les points de vue depuis le canal Rideau, aux répercussions sur les arbres et au sentiment que des utilisations à plus forte densité s'implanteront dans ce quartier à faible densité. Le document 4 présente un aperçu des préoccupations générales et des réponses du personnel.

## **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**

1040 Bank Street

### **Owner**

Southminster United Church

### **Applicant**

Jennifer Murray, acting for Windmill Development Group (Southminster Development Inc.)

### **Architect**

Hobin Architecture Incorporated

### **Description of site and surroundings**

Currently, the 3,188-square metre site contains the Southminster United Church, comprised of the main place of worship building, built in 1932, and Memorial Hall, built in 1955.

The site is located within the Old Ottawa South neighbourhood, and is bounded by Bank Street to the east, Aylmer Avenue to the south, Galt Street to the west, and National Capital Commission (NCC) lands to the north. The surrounding area contains a wide variety of land uses and densities. Low-rise residential buildings are predominantly found to the south and west. To the east, along Bank Street, there are a mix of commercial businesses and the Sunnyside Branch of the Ottawa Public Library. Colonel By Drive, Echo Drive and the Rideau Canal are located within federally-owned lands to the north. Lansdowne Park lies across the Canal, northeast of the site, and includes major retail outlets and the TD Place Stadium.

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

The Windmill Development Group (Windmill), acting for Southminster United Church, wishes to redevelop the lands at 1040 Bank Street. The existing church building would



be retained and the basement would be renovated to house community uses. The assembly hall at the rear would be demolished. In its place, the Windmill Development Group proposes to construct four townhouses and a six-storey, 14-unit apartment building.

A Zoning By-law amendment is required to rezone the lands from Minor Institutional, Subzone A (I1A) to a site-specific Traditional Mainstreet zone to permit this development. The I1A zone permits a range of community and institutional land uses, but does not permit residential uses. The requested Zoning By-law amendment is for a Traditional Mainstreet zone, with an exception for townhouses, continuing institutional uses and performance standards (see Document 2) and a zoning schedule to address site-specific heights and setbacks (Document 3).

## **DISCUSSION**

### **Public consultation**

A community information and comment session was held on Monday, September 11 2017 at Southminster United Church and 178 residents signed attendance sheets. Information was presented on display boards, a church representative, the City planner, and the developer gave presentations and a Question and Answer session was held and moderated by a facilitator. Councillor Chernushenko attended and representatives from the Old Ottawa South Community Association (OOCSA) and Development Watch Southminster were also present.

A total of 385 people have commented on the Zoning By-law application or have asked to be kept informed of the decision related to the proposal. Comments were submitted as letters, emails and comment sheets. The chief concerns on the rezoning relate to the requested height, impacts to views from the Rideau Canal, impacts to trees, and the perceived incursion of higher-density uses into the lower-density neighbourhood. An overview of general concerns and staff's response are presented in Document 4.

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

### **Official Plan designations**

Official Plan Amendment 150 (OPA 150) was approved by Council in 2013 and is currently under appeal. This Zoning By-law amendment application was reviewed with respect to the Official Plan, as amended by OPA 150; however, it does not rely specifically on any of the amendments introduced by it.

According to Schedule B of the Official Plan, the property is designated Traditional Mainstreet. Lands within this designation offer opportunities for intensification and are to be characterized by more compact urban forms of development, a lively mix of uses and a more pedestrian-friendly environment. Traditional Mainstreets function as mixed-use corridors with the ability to provide a wide range of goods and services for neighbouring communities and beyond. The intent of the Plan is to focus intensification along these corridors to support the public transit system, to create an essential community focus, to allow for minimum travel, and to minimize disruption to existing stable neighbourhoods.

Redevelopment and infill development are encouraged and the Plan supports building heights of up to six storeys on Traditional Mainstreets.

The Plan (Section 3.6.3.2) also notes that the boundary of the Traditional Mainstreet designation is flexible depending on site circumstance and lot configuration, but generally applies to those properties fronting on the designated road. It may also include properties on abutting side streets that exist within the same corridor. On lots where development has the potential to develop both adjacent to the street and to the rear of the property, the Mainstreet designation will apply to the entire lot and development situated on the rear portions will not be considered to be non-conforming by virtue of not being located adjacent to the street.

The Mainstreets designation within the Plan does not specifically address a situation where the rear of the site develops at a greater intensity than the front; however, it does speak to coordination on larger lots or where development at the front does not occupy the full frontage. In such cases, the objectives include attractive, safe and functional multi-modal (pedestrian, cycling, transit and vehicular) access and connections to the mainstreet and the provision of adequate landscaped areas, particularly trees, along the perimeter of the site and street frontages. Section 4.11 elaborates on transition policies for compatibility and integration with surrounding land uses, including the use of incremental changes in height, massing, architectural treatments and building setbacks.

#### **Rideau Canal UNESCO World Heritage Site**

The Plan (Section 2.5.5.26) cites the need for study and planning management tools that recognize that the canal passes through existing and planned urban and village communities which are subject to growth and renewal over time.

The Plan (Section 2.5.5.27) also points out that reference should also be made to Section 4.6.3, Mainstreets, of this Plan with respect to development and infrastructure adjacent to or crossing the Rideau Canal.

Section 4.6.3 requires that a Cultural Heritage Impact Statement is provided to evaluate impacts to the visual quality of the waterway, the view from the waterway, as well as natural and cultural features.

### **Scenic-Entry Routes**

The proposed development will be visible from the Queen Elizabeth Driveway and Colonel By Drive, which are identified as Scenic Entry Routes on Schedule I. There are no guidelines for Scenic-Entry Routes, beyond the general Arterial Road Corridor Design Guidelines. Section 4.6.4 of the Official Plan states that development applications adjacent to Scenic-Entry Routes will be assessed against the following criteria, in addition to other requirements of the Plan:

- The creation of a safe and attractive environment for travelers including, where appropriate, such amenities as lay-bys, scenic lookouts, information, and directional signs to important urban and rural cultural, heritage, environmental and tourism destinations.
- Attention to such matters as building orientation, outside storage, access and egress, landscaping, fencing, lighting and signage to create an aesthetically pleasing streetscape.
- The protection of views to natural and cultural heritage features, mature trees, and roadside vegetation along and beyond the right-of-way.
- Coordination of landscaping, berming, pathways and other features within the rights-of-way with the creation of such features on adjacent land, including the potential to locate these features on adjacent property.
- Any other items determined by the City.

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

The Urban Design Guidelines for Development along Traditional Mainstreets contain the following objectives:

- To promote development that will enhance and reinforce the recognized or planned scale and character of the streets.
- To promote development that is compatible with, and complements its surroundings.

- To achieve high-quality built form and strengthen building continuity along Traditional Mainstreets.
- To foster compact, pedestrian-oriented development linked to street level amenities.
- To accommodate a broad range of uses including retail, services, commercial uses, offices, residential and institutional uses where one can live, shop and access amenities.

### **Urban Design Review Panel**

The property is within a Design Priority Area and the future site plan control application will be subject to the Urban Design Review Panel (UDRP) process.

### **Planning rationale**

#### *Planning Act*

The *Planning Act* requires that all City planning decisions be consistent with the Provincial Policy Statement (PPS), as the document that provides policy direction on matters of provincial interest related to land use development.

#### Provincial Policy Statement

The proposal is subject to the policies contained within the 2014 PPS, which came into effect on April 30, 2014. Staff have reviewed this proposal and have determined that the proposed Zoning By-law amendment is consistent with the matters of provincial interest as outlined in the PPS. The proposal is in keeping with the PPS by promoting efficient development and land use patterns and by accommodating an appropriate mix of land uses to meet long term needs.

#### Conformity with Official Plan and Urban Design Guidelines

This application has been reviewed under the consolidated Official Plan (2003) with regard for the Council-approved amendment contained within Official Plan Amendment 150 (OPA 150). The proposal complies with the overall goals of the Official Plan (2003) Plan policies detailed above. The proposed land uses, the requested increase in height, and amended performance standards enable appropriate and desirable intensification to occur within the Traditional Mainstreet corridor. The new development is sensitive to the surrounding built environment, including the existing place of worship on the lot, to

the surrounding residential uses, and the abutting NCC lands and Rideau Canal corridor.

#### Cultural Heritage Value and Views

Southminster United Church is not a designated heritage building under Part IV of the *Ontario Heritage Act*; nevertheless, planning staff support its retention through this development proposal.

Parks Canada and NCC staff commented on the development proposal. Both noted that although the site is outside of the 30 metre buffer area under their jurisdiction, they are committed to working with others to protect the canal's visual setting. They initially raised concerns that there were no views from the north provided for review. These views have since been prepared and are shown in Document 5. They also noted concerns with the proposed materials. These details will be addressed in greater detail through the application for site plan control.

Finally, while there is no specific federal policy direction regarding height limits, they both noted concerns with the height. Parks Canada recommended that the six-storey apartment building be reduced in height such that it is subordinate to the church building as viewed from all angles. The two-stemmed over-mature silver maple tree on NCC lands will require removal and NCC staff have requested financial compensation. This can also be addressed as a condition with the development agreement associated with the application for Site Plan Control. NCC staff continue to be of the opinion that the proposed development will have an adverse impact on the visual setting of the Rideau Canal, arguing that keeping development below the height of the tree canopy is important as this green landscape is a character-defining element of this section of the corridor and contributes to their assessment of this segment as a "high visual quality zone". NCC staff note the select exceptions – the upper roof and cupola of the College of Physicians and Surgeons and the gable roof of the Southminster Church.

Preserving and enhancing the visual and aesthetic appeal of scenic-entry routes are objectives within the Official Plan, but cannot occur in isolation of other goals of the plan, including the scale of development intended for intensification target areas, as set out in Section 2. The proposal has been evaluated against the criteria in the Official Plan for development adjacent to Scenic-Entry Routes. Planning staff find that the proposal will create a safe and attractive environment for travelers and have no concerns related to matters such as building orientation, outside storage, access and egress, landscaping, fencing, lighting and signage.

The protection of views to the church and from the Rideau Canal corridor are of issue for many in the community, particularly the recently formed community association called Development Watch Southminster (whose comments are found in Document 4). The Official Plan advocates for protection of views to natural and cultural heritage features, mature trees, and roadside vegetation along and beyond the right-of-way, but Section 2.5.5.27 also explicitly references that Section 4.6.3, Mainstreets, applies with respect to development and infrastructure adjacent to or crossing the Rideau Canal. Planning staff are of the opinion that this development is appropriate as it strikes a balance between the intensification direction within the Mainstreets designation and the protection of views. Through the careful selection of tree species and management (for example, pruning or removal of undesirable or competitive species), the existing trees in the buffer have the potential to grow taller and eventually screen the six-storey building. Until such time, the minor impacts of the additional height (approximately 4 metres or one storey) are offset by the preservation of the existing place of worship. A clear view to the existing church building from the Bank Street bridge is also preserved.

#### Urban Design and Compatibility

In summary, the proposed development is consistent with the direction contained within the Official Plan and the Urban Design Guidelines for Development along Traditional Mainstreets and the Arterial Road Corridor Design Guidelines. These documents will be used again to review the proposal in greater detail at the site plan control stage. Through that application, the building materials, landscaping and tree protection will be reviewed.

#### Details of Recommended Zoning

The details of the recommended zoning can be found in Documents 2 and 3.

In rezoning the lands from Institutional to Traditional Mainstreet, an expanded range of non-residential uses is introduced, but at the request of the applicant, the non-residential uses are limited to Area A shown in Document 3 (the area of the existing place of worship, closest to Bank Street). The change eliminates two institutional land uses: sports arena and shelter. A sports arena is neither an existing nor planned use, and temporary, emergency overnight accommodations such as those provided through the "Out of the Cold" program are already permitted as accessory uses for places of worship.

The exception introduces a new land use, townhouse dwellings, within the TM zone. This land use acts as a transitional element and does not conflict with the Traditional

Mainstreet designation of the Official Plan. The six-storey building fits within the existing context with the proposed stepbacks and articulation. Access to garages and the underground parking is internalized, and yards facing the existing neighbourhood will be landscaped.

The maximum height conforms to direction for Traditional Mainstreets within the Official Plan, which permits buildings up to six storeys. Height is expressed as elevations above sea level (A.S.L) within the schedule, and the maximum height is approximately 19 metres. Although storeys are not described in the schedule, the intent is as follows: Area B: three storeys; Area C: four storeys; Area D: five storeys; Area E: six storeys, and Area F: no buildings. Area A is the area of the original place of worship, and is subject to the TM zone requirements, except where the exception permits otherwise. It is understood that the existing place of worship has a legally non-complying right to provide zero parking spaces on-site, and it would be subject to the provisions of Section 3 of the Zoning By-law accordingly.

The schedule introduces site-specific minimum rear yard setbacks (1.6 and 1.8 metres) and clarifies the minimum corner side yard setback (3.0 metres). The exception permits no maximum front yard setback to recognize the existing place of worship and proposed new construction behind it. Where setbacks are not indicated on Schedule XXX, those found in the TM zone apply. Projections such as balconies and ornamental elements may project into the height limits shown on Schedule XXX, but where permitted projections extend into required yards, Section 65 applies.

A driveway must usually be six metres wide in a TM zone. The proposed driveway and garage ramp are four metres wide. The four parking spaces from this driveway are within townhouse garages and have a throat length of 2.6 metres, making them functional. The garage ramp is straight and widens to the required drive aisle width at the bottom. The need for one-way controls (such as lights at the top and bottom of the garage ramp) will be explored through the application for site plan control.

Section 197(13) regarding building entrances from the main street cannot be achieved with the proposed layout and existing church building. Provisions have been created within the exception so that Section 139 of the Zoning By-law, Low-Rise Residential Development in the Mature Neighbourhoods Overlay, does not apply; however, the design of the proposal is consistent with the intent of these provisions for front yard patterns, parking patterns and entranceway patterns. The lot is considered one lot for zoning purposes, and a plan of condominium may in future be declared over a portion of the site.

In conclusion, Planning staff recommend support for the proposal. It is a well-designed, sensitive and modest infill that respects and preserves the existing place of worship building. The impacts to views from the Rideau Canal to the site are minimal and may be softened by existing vegetation. Visibility can be further mitigated by enhanced screening within the Rideau Canal corridor, sensitive building design and the careful choice of materials.

### **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

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

Councillor Chernushenko has provided the following comments:

“Southminster United Church is an important institution in Old Ottawa South, and a service provider to the city as a whole. Ensuring that it has a future is important to many people. However, I believe this could be achieved within the existing height limit. For that reason, I cannot support the rezoning amendment, with the precedent which will be set for the traditional mainstreet character as a whole. Spot rezoning should not, and is never supposed to be used as a precedent, and yet over and over across the city, it is used successfully by project developers.”

### **LEGAL IMPLICATIONS**

Should the recommendations be adopted and the matter appealed to the Ontario Municipal Board, it is anticipated that a three to five-day hearing would result. It is expected that such hearing can be done within staff resources. In the event that the application is refused, reasons must be provided. Should a refusal be appealed to the Board, it would be necessary to retain an external planner.

### **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

### **FINANCIAL IMPLICATIONS**

Potential financial implications are within the above Legal implications. In the event that an external planner is retained, the expense would be absorbed from within Planning, Infrastructure and Economic Development's budget.



## **ACCESSIBILITY IMPACTS**

The new buildings will be required to meet the accessibility criteria contained within the Ontario Building Code. Depending on the timing of construction, the *Accessibility for Ontarians with Disabilities Act* (AODA) requirements for exterior site design may also apply, and will be reviewed through the application for site plan control.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

C1 – Contribute to the improvement of the quality of life for Ottawa residents.

EP2 - Support growth of the local economy.

HC4 – Support arts, culture and heritage.

## **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 volume of responses received on the consultation and the complexity of issues associated with the proposal, including compatibility and fit within the surroundings.

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Schedule: Maximum Permitted Building Heights and Minimum Setbacks

Document 4 Consultation Details

Document 5 Concept Plan, Site Section and Renderings

## **CONCLUSION**

The Planning, Infrastructure and Economic Development department is satisfied that the proposal conforms to the policies of the City's Official Plan and the relevant design guidelines. Impacts to the cultural heritage value of the locally-valued but non-designated church and the Scenic Entry Route are minor and appropriate for goals of managing growth and directing intensification to target areas. These impacts can also be mitigated by appropriate building design and enhanced screening through

vegetation. The intensification is also modest with only 18 units proposed. The combination of land uses and built form integrate the new development in a manner that is sensitive to the surrounding context, both existing and planned. In conclusion, Planning staff are of the opinion that this proposal represents good planning and recommend that this Zoning By-law amendment be approved.

## **DISPOSITION**

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

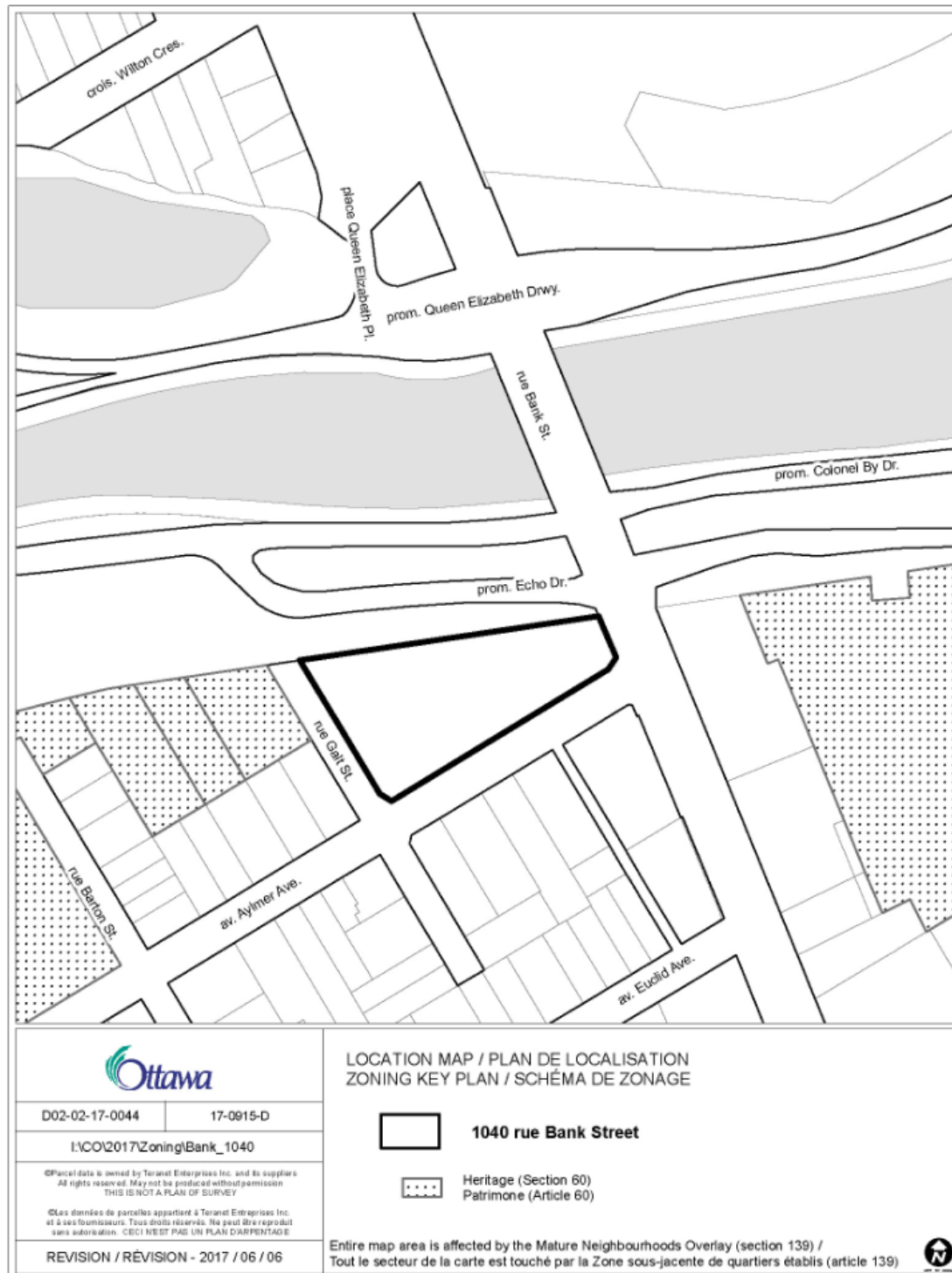
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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

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

## Document 1 – Location Map

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

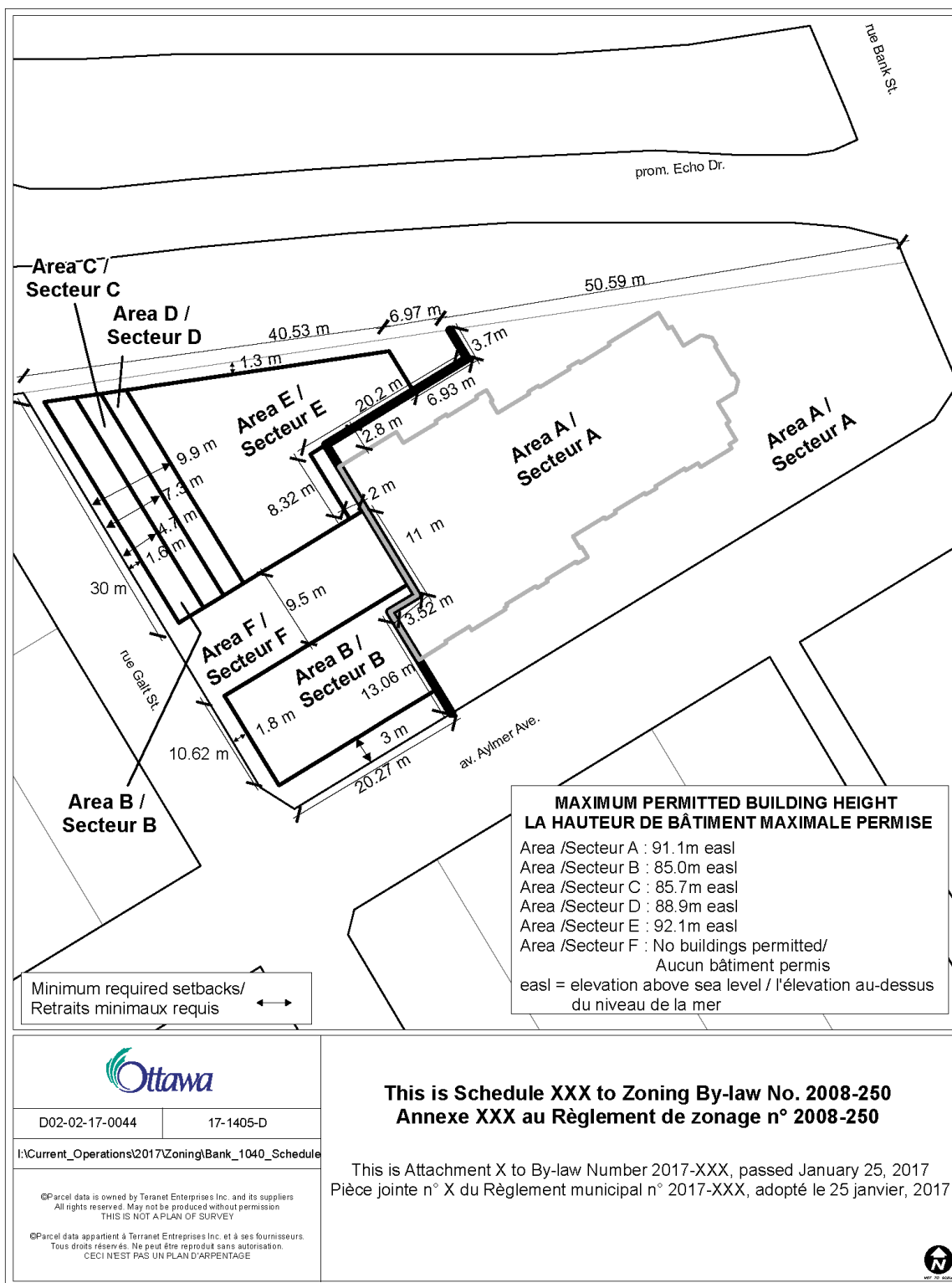


**Document 2 – Details of Recommended Zoning**

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1040 Bank Street:

1. Rezone the lands as shown in Document 1 from I1A to TM[XXXX] SXXX.
2. Add a new schedule, SXXX, as shown in Document 3 to Part 17 – Schedules.
3. Amend Section 239, Urban Exceptions, by adding a new exception [XXXX] with provisions similar in effect to the following:
  - a. In Column II:
    - Add the text, “TM[XXXX] SXXX”.
  - b. In Column III:
    - Townhouse dwellings.
  - c. In Column V:
    - Maximum building heights and minimum yard setbacks are shown on Schedule XXX.
    - Only residential uses are permitted in Areas B, C, D, E and F as shown on Schedule XXX.
    - Townhouse dwellings are only permitted within Area B of Schedule XXX.
    - A maximum front yard setback does not apply.
    - Permitted projections are not subject to the heights shown on Schedule XXX.
    - All parking must be located within a building.
    - One double traffic lane driveway measuring a minimum of 4 metres wide is permitted and only from Galt Street, including that portion on the ramp leading to the parking garage.
    - Section 197(13) regarding building entrances does not apply.
    - Section 139 does not apply.
    - The lot is considered one lot for zoning purposes.

Document 3 – Schedule: Maximum Permitted Building Heights and Minimum Setbacks



## **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.

A community information and comment session was held on Monday, September 11, 2017, at Southminster United Church and 178 residents signed attendance sheets, although there were probably more people in attendance. Information was made available on display boards, through presentations, and through a question and answer session, moderated by a facilitator. Councillor Chernushenko attended and representatives from the Old Ottawa South Community Association (OOCSA) and Development Watch Southminster were also present.

A total of 385 people have commented on the Zoning By-law application or have asked to be kept informed of the decision related to the proposal. Comments were submitted as letters, emails and comment sheets. The chief concerns on the rezoning relate to the requested height, impacts to views from the Rideau Canal, impacts to trees, and the perceived incursion of higher-density uses into the lower-density neighbourhood. In total, 165 people expressed opposition and usually requested that the 15 metre height limit be respected. There were 32 comments received in support. The remainder had questions, comments or concerns or asked to be notified of the report and decision. Comments and responses are summarized below.

In response to comments, additional information was also provided by the developer, including renderings showing the proposed development from the north (shown in Document 5), a tree report prepared by a certified arborist, a response from the developer's heritage consultant, an on-street parking scheme, and a conceptual grading plan.

### **Public Comments and Responses**

#### **1. Heritage**

- Support for the preservation of the Church site.
- Lower building heights will better preserve heritage of the site.
- Adjacent to UNESCO World Heritage Site, whose site lines and views of the Church should be preserved.

- Was the 2012 Rideau Corridor Landscape Strategy Study (Parks Canada) reviewed in regards to this application?
- Building will have a negative impact on the surroundings of the Rideau Canal.
- There is a responsibility to protect the Canal and the area surrounding it, and this proposal does neither.
- Materials and design visibly clash with the heritage character of the church.
- At night the lights of the condo's dome will tower above the church and dominate its nightscape.
- Heritage Overlay stops short of Southminster site, but the spirit of the overlay should be applied here.
- Could the Heritage Overlay be extended to apply to the Church?

#### Staff response

Planning staff believe that the visibility of the new development is not an undue adverse impact. There are numerous situations where buildings are visible through and above the tree line along the Rideau Canal and form a welcome component of its character. Both Southminster United Church and the College of Physicians and Surgeons are examples within the immediate area. A contemporary addition to this composition is not unwarranted, especially when the addition preserves a desirable example and the new development is of high quality design. Moreover, Section 2.5.5.27 of the Official Plan observes that reference should also be made to Section 4.6.3, Mainstreets, of this Plan with respect to development and infrastructure adjacent to or crossing the Rideau Canal. Planning staff understand this to signify that the intensification goals intended on Traditional Mainstreets are not superseded by the goals of protecting the cultural heritage landscape. Planning staff find this proposal to be a successful approach to balancing both these goals.

Images on Document 5 demonstrate the minimal impact the proposal has on views and Planning staff do not agree that it towers over the church or dominates the view, even if dwelling units were lit at night. A third view was requested by the NCC, but the building is not visible in it, so it was not included in this report. The developer has also agreed, if desired by the NCC, to plant high branching coniferous trees within the NCC lands to screen the building. In time, trees such as white pine would have the potential to grow up to 30 metres and fully screen the building from the north side.

Although the existing church is not a designated heritage building under Part IV of the *Ontario Heritage Act*, care will be taken to ensure that the new construction is complementary to the existing architecture.

The requested Zoning By-law amendment does not include extending the Heritage Overlay to the church, but the existing building will be preserved. The subject site was not included in the 2013 Colonel By Focused Zoning Study, when the community elected to impose restrictions on itself to preclude inappropriate development. Planning staff are of the opinion that the 1040 Bank Street site would have been an anomaly within this study area, as the study covered housing forms with R3Q[487] zoning. There is the potential for the church to be designated under Part IV of the *Ontario Heritage Act*, and if it were determined to merit designation, this could happen after construction.

## **2. Zoning By-law and Official Plan**

- Respect existing zoning by-laws.
- Find other means to fund church preservation than by adding additional height to zoning provisions.
- Proposed amendments are not in keeping with the spirit of the existing zoning, Galt Street is not a Traditional Mainstreet.
- If the site is to be rezoned to a TM zone, it should respect the 15m height limit in effect elsewhere.
- Fear that rezoning to higher heights will set a precedent for tall buildings along the canal and in the community of Old Ottawa South.
- Will this set a precedent for extending the Traditional Mainstreet designation farther back into the neighbourhood in the future?
- Support for location, behind church, but not for building beyond current zoning (or standard TM zoning provisions.)
- Rezoning should not be done before severance is complete. If rezoning were done after the severance, the proposed TM zoning would not be considered. The site should be rezoned based on what is appropriate for Galt Street, not the entire site.
- Keep the R3 residential zoning intact.
- The ASL (Above Sea Level) measurement is difficult to understand.



Staff Response

The *Planning Act* provides the right to a property owner to request a Zoning By-law amendment. The request is evaluated with respect to relevant provincial and municipal policy, as well as the existing and planned context. A Zoning By-law amendment also has statutory public notice requirements so that interested parties may be aware of and participate in the process.

The overall height requested is approximately 19 metres, which is higher than the existing I1A zone and the TM2 subzone (both 15 metres). Height is expressed as above-sea level elevations to be more accurate. Redevelopment and infill are encouraged by the growth management strategies of the Official Plan, and buildings up to six storeys are permitted within the Traditional Mainstreet designation. Staff acknowledge that the planned context differs from the existing context but a schedule (Document 3) will be added to the site-specific exception for setbacks and height to ensure there are appropriate transitions and compatibility within the context.

The Traditional Mainstreet designation is flexible depending on site circumstance and lot configuration, but generally applies to lots along the corridor which front on the mainstreet. Each redevelopment situation will be reviewed on its own merits.

The timing of the severance has no bearing on the Official Plan designation. This proposal does not introduce any changes to the R3 zoning, which applies to nearby lots. The use of ASL (Above Sea Level) elevations in the schedule for the Zoning By-law amendment is appropriate as it sets a clear limit for height and avoids issues with manipulated grades or sloping topography.

3. Height and Massing

- Too tall, limit to three storeys (or 15 metres maximum).
- Too large and obtrusive.
- Proposed design eliminates the role of the Church as the dominant architectural feature as you enter the community (visual gateway).
- Height comparisons should not be drawn to developments in the Glebe as they are entirely distinct neighbourhoods.
- Keep height below the mid-roof height of the church to maintain the Church's visual primacy in the neighbourhood.

- Cities which limit height and consider visual heritage can accommodate old and new without destroying or disrespecting local treasures (Berlin is a good example).
- Does not fit in with neighbourhood characteristics of the low-rise residential neighbourhoods.
- This proposal will negatively impact the character and built form of Old Ottawa South and the Glebe.
- This project will destroy the very soul and spirit that makes the Glebe attractive.
- This building has no regard for the existing built form or for residents.
- The City and developers should take a more nuanced approach to Main Street zoning, especially as it relates to churches and buildings on small sites.
- Increase setback from sidewalk to be more in conformity with the neighbourhood standard of green front lawns or gardens.

#### Staff response

As noted above, Planning staff support the requested height increase as it aligns with Official Plan policy. The Official Plan acknowledges that the planned function of an area may anticipate a future state that differs from the existing situation. Transitions in built form assist with compatibility and integration with surrounding lands uses. The development includes many elements that assist with its fit, including incremental changes in height, ground-oriented housing along Aylmer Avenue, internalized parking areas, complementary building finishes and building setbacks that are similar to those within the surrounding area. The impacts of the new construction to existing views are minimal, and the redevelopment will preserve existing place of worship building. Overall, Planning staff are of the opinion that this development will add to the existing urban fabric in a positive way, respecting both the established context and planned context of the area.

#### 4. Building Design

- Excessive use of glass is not appropriate given the neighbourhood context.
- Glass walls are less efficient insulators than other types of well-insulated walls.

- There should not be a blank wall addressing Bank Street (balconies, and amenity space).
- Clear visual renderings from a human-scale perspective point for views from all sides and angles of site are needed.
- Proposal is far more attractive than existing church extension.
- Could decorative screening be provided to hide the mechanical rooftop fixtures?
- The proposed development is a positive one for the community, and will be a nice addition.
- The design of the proposed condominium is stunning, and the development will add value and character to the neighbourhood.

#### Staff Response

The design and materials will be reviewed by the Urban Design Review Panel, once they become more detailed, as part of the application for site plan control. The setbacks from the right-of-ways meet with TM zone requirements and are also similar to existing setbacks to houses along Aylmer and Galt Streets. The treatment of the mid-rise building's east façade will be reviewed in greater detail at the site plan control stage. Blank walls are not desirable, but there may be Building Code requirements limiting unprotected openings where the new construction meets the existing church. Screening rooftop mechanicals is standard practice and is reviewed as part of the more detailed building design through the application for site plan control.

#### 5. Land use

- Area more conducive to townhouses, rather than a mid-rise building.
- Support for the townhouse portion of the proposal.

#### Staff Response

The site-specific zoning exception will introduce townhouses as a permitted use.

#### 6. Church's Decision to Redevelop

- There is no alternative proposal that generates the same amount of much needed funding for the church while also resulting in a smaller development.

- Southminster United Church should work with the community and together we can develop a better plan, one that supports the church and is beneficial for the entire community.
- Charlesfort Developments made a proposal that would keep the new addition at three-storeys for a purchase price of \$2 million. Southminster should reconsider this offer so that the community can be certain the church has received the best offer possible.
- Were any alternatives considered? Were those alternatives presented to the City?
- Support for rezoning in order to fund preservation of Church.
- This redevelopment is necessary to allow the church to remain serving the community for years to come.

#### Staff response

Southminster United Church's decision to partner with the Windmill Development Group is a matter between private entities, and does not form part of the review of the requested Zoning By-law amendment. Although Southminster United Church is not a designated heritage building under Part IV of the *Ontario Heritage Act*, planning staff support its retention through this development proposal.

#### 7. Parking and Traffic

- Will result in loss of 17 parking spaces dedicated to Church programming.
- Street parking on Galt Street would be difficult.
- Concern about additional traffic and congestion.
- Concern about increased traffic and impacts to students at the nearby Hopewell Avenue Public School. An increased number of cars poses safety risks and warrants more discussion.
- There is no location for a surface bicycle park for the church.
- Fewer new units would reduce concerns over increased parking demand in the neighborhood.
- Without the parking lot at the Church, where will pick-up and drop-offs happen for Church programming?

- Will Galt Street be wide enough to allow for parallel parking?
- Will the developer be required to install public/visitor parking?
- Why is Windmill recommending the provision of more than one resident parking space per unit? Why not designate more visitor parking spaces (or church spaces) to take the pressure off the on-street parking availability?
- The underground parking to be provided is well in excess of what the Zoning By-law requires. By removing some spaces, the accessible ramp could be longer. This could, in theory, allow the building to be lower while still achieving six-storeys.
- Where will the fire hydrant on Galt be relocated (re parking or construction)?
- Given the overabundance of parking proposed, there should be a requirement that at least four spots be electric car charging stations.
- Along the parallel parking proposed for Galt Street, the developer should be required to provide at least two publicly accessible electric car charging stations.

#### Staff response

From a zoning perspective, the existing place of worship has a legally non-conforming right to provide no on-site vehicular or bicycle parking. The parking provided for the new uses meets the current requirements of the Zoning By-law, and includes visitor parking. Windmill is proposing to allocate parking at a rate of two spaces per unit based on projected market demands for this type of housing. There is an option for the church to purchase parking spaces for use by their staff or community members. Windmill has advised that providing less parking and incurring greater costs by digging deeper in order to lower the church is not their current preference.

Planning staff do not anticipate that the addition of 18 dwelling units will aggravate underlying issues related to traffic and congestion or increase safety issues for people walking within the neighbourhood. The removal of the daycare-use within Memorial Hall and the short-term drop-off and pick-up needs associated with the perpendicular parking spaces have the potential to decrease traffic on Galt Street. Traditional Mainstreets are intended for a mix of uses to reduce automobile reliance, and adding dwelling units within close proximity to shops, services and other amenities contributes to this goal.

The current parking layout is a historical situation and does not meet today's standards for either private parking or on-street parking. Through the redevelopment, a more functional approach with parallel on-street parking spaces will be created. A Roadway Modification Approval (RMA) for changes within Galt Street will be required as a condition of the yet to be submitted application for site plan control. This will provide a detailed description of the road design, utility locations, hydrant locations and on-street parking within Galt Street. If a drop-off and pick-up location within the Aylmer Street right-of-way was desired by the place of worship, a request for this could also be reviewed through the RMA process.

Section 94 of the Zoning By-law permits car-sharing in any commercial, industrial, institutional or transportation zone. The future plan of condominium owners may opt for electric car charging on the condo lands. At the present time, the City is not providing charging stations within City right-of-ways.

#### **8. Housing**

- Luxury apartments are not needed. Affordable housing should be provided.
- Consider providing more units at a lower cost/unit.
- Support for housing options that allow aging homeowners to move to a more manageable space without leaving the neighbourhood. This would allow new younger families to move into homes currently occupied by aging residents who wish to move to a smaller space but have no good alternative options within the community.

#### **Staff response**

The requested Zoning By-law amendment does not preclude affordable housing or lower-cost units, should that be the developer's choice to pursue. The policies of the Official Plan advocate for a diversity of housing types for liveable communities.

#### **9. Trees, Landscaping and the Environment**

- Would like to see concerted effort towards protecting mature trees from Bank to Galt Street.
- Building foundation may destroy root system of trees to north.
- The trees are necessary to mitigate the interrupted viewscape.

- Would like to be given a clear assessment of how many mature trees will have to be removed for this development to occur.
- Would like to see the “Climbing Tree” (common term used to refer to the tree) at the south-west corner of the property where children play and parents congregate.
- Has this project considered the recently adopted (June 28, 2017) Urban Forest Management Plan?
- The Tree Memo does not provide tree heights.
- The glass walls will be a major hazard for birds.
- It was great to hear at the September 11<sup>th</sup> public meeting that Windmill is examining renewable energy sources.

#### Staff response

The two-stemmed over-mature silver maple tree on NCC lands will require removal. Other mature trees including two elms, a yellow birch, a red maple and a white spruce will be protected. On the Aylmer Street frontage, the three existing trees in front of the hall will be removed, and Planning staff will ensure they are replaced with street trees through the application for site plan control. Foresters within both the Planning, Infrastructure and Economic Development Department and the Public Works and Environmental Services Department review development applications and use the *Putting Down Roots for the Future* document in their review. Additional information on trees will be provided in a Tree Conservation Report as part of the application for site plan control. Trees are usually measured by trunk width (i.e. diameter at breast height) rather than height. The developer will use best practices to ensure that the chosen glass is fritted or not reflective, as well as other methods to ensure that the building is bird-friendly in design.

#### 10. Memorial Garden

- The application lacks an Archeological Resource Assessment to address Southminster's Memorial Garden.
- How will the development plans address the Memorial Garden in which several people are interned?

Staff response

Section 4.6.2 of the Official Plan indicates when an archeological assessment is required and one is not required in this case. The owner of the property, Southminster United Church, advises that there are no interments within the Memorial Garden. However, if any archeological resource or human remains were uncovered during excavation and construction, there is standard protocol under provincial legislation the developer would have to observe.

11. Noise

- How will Windmill avoid the problem of industrial air conditioner noise such as was seen in the Glebe/Lord Lansdowne Residence in 2009?

Staff response

Surrounding non-residential uses, including the existing place of worship, may require upgrades to their existing heating, ventilation and air conditioning equipment to meet provincial guidelines. The new residential development will use current best practices for noise attenuation. A noise study will be required for review in the application for Site Plan Control.



## Community Organization Comments and Responses



September 29, 2017

Allison Hamlin, MCIP, RPP  
Planner II  
Development Review, Central  
Planning, Infrastructure and Economic Development Department  
City of Ottawa  
110 Laurier Avenue West, Ottawa, ON

### VIA EMAIL

#### **Re: Comments on Rezoning Application # D02-02-17-0044**

Dear Ms. Hamlin,

I am writing on behalf of the board of directors of the Ottawa South Community Association (OSCA), whose mandate includes promoting and protecting the interests of the community with respect to the planning and future development of Old Ottawa South. While it is OSCA's general practice to refrain from intervening directly in individual re-zoning applications within the neighbourhood, the proposed Southminster re-development has generated considerable community interest. The board of directors offers the following comments on the re-zoning proposal.

#### **1. Southminster Church is an integral part of our community which residents overwhelmingly wish to see succeed**

Southminster Church provides important secular and non-secular services to residents of Ottawa living in Old Ottawa South and beyond. Although there is some controversy in the community regarding the scope of acceptable development on the Southminster site, there seems to be widespread consensus regarding the value that Southminster Church brings to our community. Any decision regarding its development ought to be considered with the objective of ensuring the Church's ongoing viability in mind.

#### **2. Intensification along Bank Street and building height**

OSCA supports intensification of the residential component of mixed land use along Bank Street. We believe it is feasible to increase the number of housing units with minimal adverse effects on the adjacent low density areas.

With respect to the proposed Southminster development however, a common concern expressed by members of the community is with respect to the height of the proposed apartment building, and the interface with the low density units across Galt Street. The proponents have expressed a lack of willingness to reduce the building from six storeys down to 15m in accordance with existing zoning along Bank Street in Old Ottawa South.

Irrespective of the eventual zoning height limit, we encourage the City to use the site plan control mechanism to further mitigate adverse effects of this residential interface.

While we understand that the traditional mainstreet policies are supportive of six storey buildings, the proposed structure clearly fronts onto Galt Street and is directly across the street from an R3 zone. We are concerned about the overly rigid application of the practice in which zoning provisions are applied to the full depth of a lot irrespective of its size or context. For six storey buildings to be acceptable along Bank Street, the density transition to the abutting R3 zones must be done carefully and in a more sensitive manner than what is being proposed here. Particular care should be taken where, as here, the proposed structure doesn't front onto Bank Street despite its traditional mainstreet zoning.

We would further observe that the 15m height restriction presently reflected in the zoning for Bank Street in Old Ottawa South implements the policy objective of intensification. Most existing structures on Bank Street are one or two storeys in height. There is, therefore, no need to exceed the existing height limit to achieve the policy objective of intensification outlined in the Official Plan and provincial policy statements. Abrogating the rule to provide for an even taller structure than is presently contemplated by the applicable zoning by-laws would be inappropriate given the present zoning and policy context.

### **3. Parking**

Parking is a difficult issue in Old Ottawa South in general, and in the vicinity of Southminster Church in particular. Parking issues have been exacerbated by the nearby Lansdowne Park development, which generates frequent event-related parking demand. Of particular concern is the loss of the existing angled parking along Galt Street. This is used for visitors to the church, often for an hour or two, and also as short term drop-offs and pick-ups, which are, of course, needed for the frequent children's activities at the church.

The planning rationale report submitted by the proponent notes that "active and public transit will substantially offset site-generated vehicle traffic." We think this is an overly optimistic proposition given the level of demand for parking we have witnessed and the fact that no enhancements to transit services along Bank street are presently envisioned by the City, so we would like to see more quantitative substantiation of this view. As a minimum, OSCA urges the City to require a modest number of parking spaces dedicated to the church, and the preservation of parallel parking along Galt Street.

**4. Tree cover**

It is our community's expectation that the City will insist on preserving and protecting as many trees as possible and, in particular, the tree cover on the Colonel By Drive side of the development from potential construction damage, and damage from the excavation required for the project's foundation. The arborist who made a presentation at the September 11 community meeting was quite confident that the tree cover could be preserved, and we expect the City to be vigilant in monitoring construction and enforcing its policies in this regard.

**5. Secondary Plan / Community Design Plan**

The Southminster proposal highlights the need for a secondary plan for Old Ottawa South. We expect development pressures along Bank Street to increase in the coming years, and the absence of neighbourhood-specific policies is becoming more difficult. Dealing with complex policy issues such as parking, transportation, overall density, height, interface with lower density areas, visual compatibility and heritage preservation through site-specific zoning is problematic. Old Ottawa South needs a strong policy foundation that is specific to the unique attributes of the community. We encourage the City to make this a priority.

Sincerely,

A handwritten signature in black ink, appearing to read 'Emilie Taman', written in a cursive style.

Emilie Taman  
President

Staff response – Old Ottawa South Community Association comments, dated September 29, 2017.

Planning staff are of the opinion that the interface with the low-rise neighbourhood opposite Galt Street is well-designed and compatible. The mid-rise building design, including its stepbacks, articulation at grade, complementary building finishes, internalized parking and setbacks, is sensitive to the existing residential context.

The existing parking along Galt Street does not meet today's standards for either private parking or on-street parking. Through the redevelopment, five parallel on-street parking spaces will be created. The existing place of worship has a legally non-complying right to not provide on-site parking. While not required by the zoning, the church has the option to purchase additional visitor parking within the underground parking structure for the church. The TM zone permits this type of arrangement.

Tree protection is a priority both for the NCC and for the City on their lands. If trees must be removed for the proposed development, they will be replaced or financial compensation will be paid to enable new tree planting to occur.

The request for a secondary plan and community design plan for Old Ottawa South is noted, but is not currently on the City's work plan. The proposal is for a modest increase in height and aligns with the Official Plan designation for Traditional Mainstreets. Planning staff caution that additional layers of policy will not prevent requests for site-specific Zoning By-law amendments.

DWS Community Group

DWS Community Group  
Comments to City of Ottawa  
Planning, Infrastructure and Economic Development Department

Attention: Allison Hamlin, MCIP, RPP  
Planner II  
Development Review, Central

Re: Application No. D02-02-17-0044  
1040 Bank Street, Ottawa, Ontario  
Zoning By-Law Amendment  
of the Southminster United Church Property

Prepared For:  
Development Watch Southminster  
A City of Ottawa Registered Community Group

Prepared by:  
Laura Urrechaga, B.Arch., M.Arch., Leed AP

July 26, 2017

City of Ottawa Application No. D02-02-17-0044, proposes to rezone the Southminster Church property from its current Minor Institutional zoning to a Traditional Mainstreet zoning as per the City's Official Plan.

This proposal includes three sub-zones, one for the existing Church facing Bank Street, one for four proposed townhouses facing Aylmer Avenue and another subzone for a proposed six-storey Condominium development facing onto Galt Street but with its longest facade facing the Rideau Canal.

At 19 plus metres, the Condominium development is higher than any other Residential development protected by the Heritage Overlay that is in place along Colonel By Drive between the Bronson and Bank Street bridges. It is also higher than Southminster Church, a neighbourhood-defining building for Old Ottawa South which is of significant cultural heritage value to our community.

Being set on the crest of a hill, the Church is also an important contributor to the Protected Viewscape between the Bank Street and Bronson Street bridges.

The following document excerpts may serve to inform any decision on the proposed six-storey Condominium Development:

City of Ottawa Official Plan

With respect to the Rideau Canal's UNESCO World Heritage designation and the impact of that designation on abutting lands, the following sections should inform this application:

Section 2.5.1

"Introducing new development in existing areas that have developed over a long period of time requires a sensitive approach and respect for a communities established characteristics."

Section 2.5.5 Cultural Heritage Resources

**"Cultural heritage landscape:** means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, farms, canals, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value."

Rideau Canal UNESCO World Heritage Site

Policy 26.

"In order to recognize and protect the cultural heritage resource significance of the Rideau Canal UNESCO World Heritage Site, the City will also participate in a study, the Rideau Corridor Landscape Strategy, along with representatives from First Nations, federal and provincial agencies, municipalities, non-governmental organizations, property owners and others. It is anticipated that this study will

recommend planning management tools that the City may choose to implement that:

- a. identify and protect the cultural heritage landscapes, Algonquin history, and built heritage resources of the waterway;
- b. explore the introduction of design guidelines that can be implemented through the site plan control process, for new development along the waterway;
- c. identify measures to conserve the terrestrial and marine archaeological resources of the Rideau Canal;
- d. recognise that the canal passes through existing and planned urban and village communities which are subject to growth and renewal over time[Amendment #76, OMB File #PL100206, August 18, 2011].”

Policy 27.

“Reference should also be made to Section 4.6.3 of this Plan with respect to development and infrastructure adjacent to or crossing the Rideau Canal.”

#### Section 4.6.3 – River and Canal Corridors

Policy 1(a):

“The City will conserve the natural environment, cultural heritage, scenic qualities and recreational potential of the Rideau Canal World Heritage Site by “Reviewing development applications adjacent to these rivers and canal to ensure that the visual quality of the waterway and view from the waterway, as well as natural and cultural features, are evaluated”.

The visual character of the section of the Rideau Canal between the Bronson and Bank Street bridges is the most stringently protected portion of the Canal within the City of Ottawa, because it is the only portion where the character of the combined Viewscape is protected in its totality by a Heritage Overlay on the majority of properties on both the Queen Elizabeth Drive and Colonel By Drive.

#### Section 4.6.4 – Scenic-Entry Routes

'Scenic-Entry Routes form a network that links major tourist, recreation, heritage and natural environment destinations in and beyond Ottawa. Some of them follow historic routes, while others follow rivers and many are attractive to cyclists and pedestrians. Scenic-Entry Routes include a variety of roads, such as highways, parkways, arterial roads and local streets. This system of Scenic-Entry Routes is under the jurisdiction of the federal government plus provincial and municipal governments in Ontario and Québec. Most Scenic-Entry Routes can be enjoyed by a variety of modes, including bus, bicycle, and in many areas of the network in the urban area and Villages, foot. Many Scenic-Entry Routes, such as Riverside Drive or the Ottawa River Parkway, contribute to the continuity of the Green space Network through the design of their corridors. Key Scenic-Entry Routes are also the principal roads used by visitors and business travelers arriving in Ottawa and the National Capital Region. Signage along these roads must orient travelers and provide direction to the City's attractions, while the overall pattern of development along the routes must create a favourable first impression of Ottawa.

Policies:

“Guidelines for Scenic-Entry Routes that elaborate on the more general Arterial Road Corridor Design

Guidelines, as updated from time to time, will be developed and implemented by the City. While respecting the primary function of the road, the guidelines will promote:

The creation of a safe and attractive environment for travelers including, where appropriate, such amenities as lay-bys, scenic lookouts, information, and directional signs to important urban and rural cultural, heritage, environmental and tourism destinations;"

"The protection of views to natural and cultural heritage features, mature trees, and roadside vegetation along and beyond the right-of-way;"

While this Development is, as noted above, "beyond the right-of-way", the impact of its much greater height, breadth and massing facing the Rideau Canal in comparison to the other properties forming the protected Viewscape, should be seriously considered.

#### 2012 Rideau Corridor Landscape Strategy Study-- Funded by Parks Canada

While not legally binding, the results of this study should inform the application being considered. In its Visual Preference Study conclusions on land use, this study states that "stark contrast" was associated with negative visual impacts on the Canal Viewscape. The proposed construction, with its top three of six storeys clad mostly in glass (ascertained from Bray's Heritage Memo. as no elevations of this facade are contained in the Application) may aggravate issues identified in that report.

The waterfront development guidelines resulting from the Landscape Strategy Study, emphasize the need to protect existing vegetation and to preserve historic buildings and state that any new buildings should complement the site:

"New buildings should be designed to complement the landscape character and architectural style of the surrounding area. Buildings should be in proportion to the size and frontage of the property and fit in with the surrounding built environment. Throughout most of the waterway, buildings should be low profile and not exceed the height of the tree canopy. Taller buildings may be appropriate in more urbanized areas."

While the property is beyond the 30 metre limit, it forms part of the Viewscape "between the bridges" where the majority of Heritage Overlay protected properties between the Bronson Bridge are indeed "low profile" with Overlay property height limits currently set to 9 meters. Development on the Southminster Church property itself is also currently limited to a height of 11 metres.

#### City of Ottawa Zoning By-Laws:

The community is aware that a number of zoning variances regarding setbacks, etc. will be required by the proposed development. The community understands that these are requested in order for the development to proceed and, in the interest of facilitating the rezoning process, may be willing to accept some of these requests as long as these impositions on the community are offset by a reduction in the property height to the neighbourhood maximum of 15 metres.



Comments on Documents Forming Part of Application No. D02-02-17-0044:

Heritage Impact Memo- Bray Heritage

Bray Heritage, in its Heritage Impact Memo, addresses the canal site and impacts on its quality, but the report is devoid of any drawings showing the proposed building from the Rideau Canal, from the Bank Street Bridge, from Colonel By Drive or from Queen Elizabeth Drive in either direction. The tree shown in the memo's Site Section is much taller than any tree shown in the streetscape through Galt Street, so we cannot know which drawing, if either, is accurate and which tree has been chosen for the site section. Further, the memo stating that the six-storey Condominium will be "partially (or, in summer, almost entirely)" hidden by existing trees on NCC property" is likewise inaccurate, as the trees are mostly bare for seven to eight months of the year. Many of these trees will have their root systems impacted by the underground parking garage which extends to the building lot line and the long-term survival of these trees is in dispute. Additionally, Bray Heritage's statement that the exterior glazing on the upper floors will "contrast" with and call attention to the culturally and visually historically important Church building is suspect at best because, as previously mentioned, the Condominium Building will be in the foreground of and taller than the Church, causing the Church to recede from view in perspective.

Environmental Impact Statement-Kilgour & Associates, Ltd.

There are several inaccuracies in the Environmental Impact Statement where trees on NCC property are listed as being on Church property in the tree chart, where no drawing shows the North lot line abutting the NCC lands and no drawing or statement identifies that the underground parking garage wall will be set at that North property line, causing harm to the root systems of NCC trees being listed as "retained".

Additional DWS Comments:

Parking:

There are currently 17 church-designated parking spaces which are to be eliminated in the proposed development. While there are 32 condo-resident spaces and 1 visitor space in the proposed underground parking garage as well as 4 parking spaces, one for each townhouse, there are no spaces for the church. The proposed 7 street parking spaces on Galt Street will not be church-dedicated. In any event, the result is a net loss of at minimum, 10 parking spaces for the church and its many community programs.

General Errata:

The height of the existing church building is determined at the centerline of the gable.  
The height of Southminster Church is given to the peak of the roof throughout the submission.  
The correct height is not provided anywhere within the documents.

Comments Conclusion:

While Application No. D02-02-17-0044 has merit and can be adapted by restricting the height of the Condominium component to adjacent neighbourhood maximums, in its current form the proposed six-storey Development will have a negative visual impact on the cultural heritage value of Southminster Church, the most prominent, publicly used symbol of our Old Ottawa South Community on Bank Street.

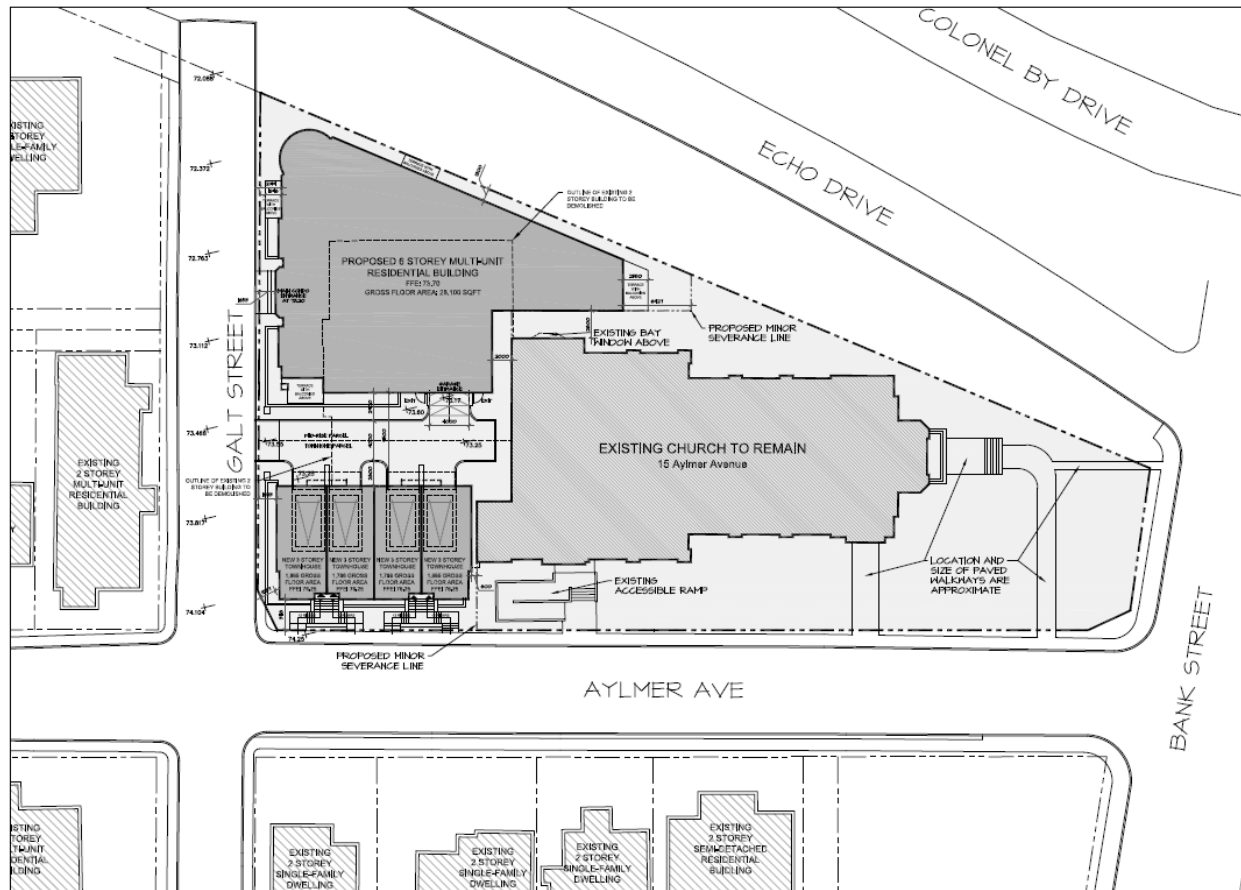
The proposed six-storey Development will also have a negative visual impact on our City's UNESCO World Heritage Rideau Canal precisely where that cultural visual heritage is most protected within the City of Ottawa through Heritage Overlays on both sides of the Rideau Canal.

We know that the City of Ottawa is vitally interested in fulfilling its role as Stewards our City's Visual Heritage and recognise, that you, the City's Urban Planners, are at the forefront of this effort. Thank you for doing all you can to ensure that these laudable goals are met through the review process.

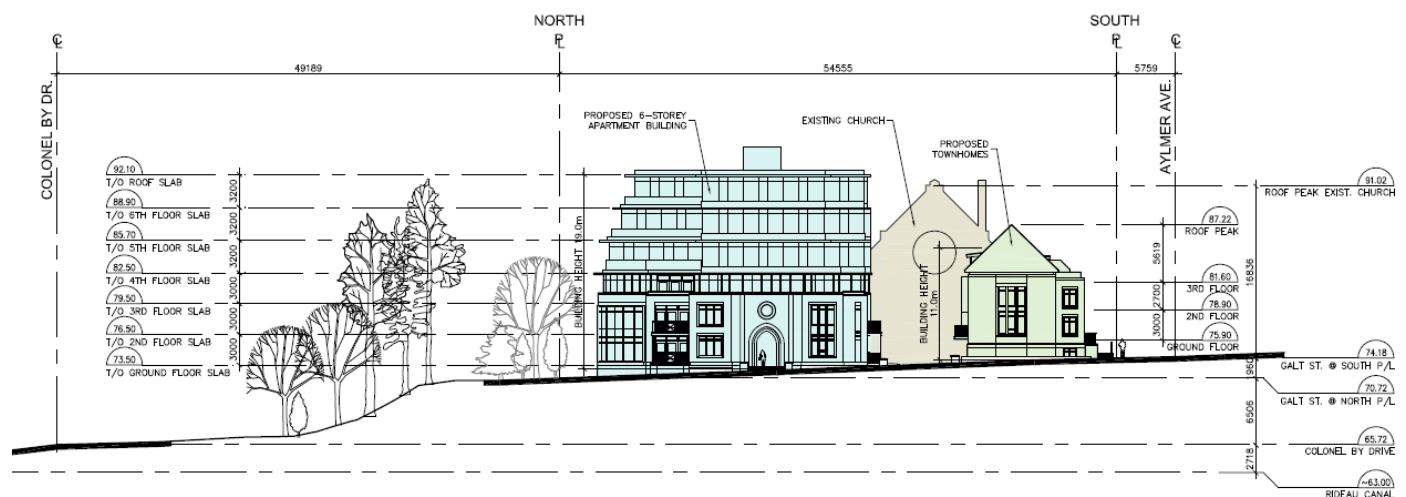
**Staff response – DWS Community Group letter, dated July 26, 2017**

Planning staff thank Development Watch Southminster for the questions raised and for noting inaccurate or missing information. Staff are satisfied that there is sufficient information within the application to evaluate the proposal and make a recommendation. A discussion of visual impact is contained within the report. In conclusion, Planning staff are of the opinion that this development strikes a balance between the goals of the Official Plan for intensification on Traditional Mainstreets, for protection of key views within Scenic Entry Routes (such to the church from the north side of the Rideau Canal), for enhancing vegetation within buffer lands, and for the preservation of the church building.

Document 5 – Concept Plan, Site Section and Renderings



Concept Plan



Site Section along Galt Street



Rendering 1: Conceptual Aerial View from the South



Rendering 2: Townhouses on Aylmer Street





Rendering 3: View along Galt Street, looking north



Rendering 4: View from Echo Drive, looking west





Rendering 5: from north side of Rideau Canal, looking south



Rendering 6: from north side of Rideau Canal, looking east