

**6. ZONING BY-LAW AMENDMENT – 231 COBOURG STREET**  
**MODIFICATION AU RÈGLEMENT DE ZONAGE – 231, RUE COBOURG**

**COMMITTEE RECOMMENDATION**

**That Council approve an amendment to Zoning By-law 2008-250 for 231 Cobourg to permit an office limited to an embassy as detailed in Document 3.**

**RECOMMANDATION DU COMITÉ**

**Que le Conseil approuve une modification au Règlement de zonage no 2008-250 visant le 231, rue Cobourg, afin de permettre l'aménagement d'un bureau, limité à une ambassade, comme il est indiqué dans le document 3.**

**DOCUMENTATION/DOCUMENTATION**

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated April 8, 2018 (ACS2018-PIE-PS-0028)  
  
Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté 8 avril 2018 (ACS2018-PIE-PS-0028)
2. Extract of draft minutes, Planning Committee, 24 April 2018  
  
Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 24 avril 2018
3. Summary of Written and Oral Submissions to be issued separately with the Council agenda for its meeting of 23 May 2018, 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 9 May 2018".  
  
Résumé des observations écrites et orales à distribuer séparément avec l'ordre du jour de la réunion du 23 mai 2018 du 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 9 mai 2018 ».

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
24 April 2018 / 24 avril 2018**

**and Council  
et au Conseil  
9 May 2018 / 9 mai 2018**

**Submitted on 8 April 2018  
Soumis le 8 avril 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 M. Deiacco / Planner / Urbaniste / Development Review Central / Examen  
des demandes d'aménagement centrale  
(613) 580-2424, 15641, Simon.Deiacco@ottawa.ca**

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

**File Number: ACS2018-PIE-PS-0028**

**SUBJECT: Zoning By-law Amendment – 231 Cobourg Street**

**OBJET: Modification au Règlement de zonage – 231, rue Cobourg**

#### **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 231 Cobourg to permit an office limited to an embassy 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 9 May 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 n° 2008-250 visant le 231, rue Cobourg, afin de permettre l'aménagement d'un bureau, limité à une ambassade, comme il est indiqué dans 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 9 mai 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

231 Cobourg Street

**Owner**

Ugandan High Commission

**Applicant / Architect**

Ten 2 Four Architecture

**Description of site and surroundings**

The site is located at the northeast corner of the Cobourg Street and Wilbrod Street intersection within the Sandy Hill neighbourhood.

The 386-square-metre site currently features a two-storey, flat-roofed building owned by the Ugandan High Commission. The site was used for office uses but was vacated in 2014 as it was deemed to be unsafe and unhealthy due to deteriorating structural and environmental conditions. The surrounding area contains primarily low- to mid-rise residential dwellings, with interspersed embassies found throughout the neighbourhood.

**Proposed Development**

The proposal is to demolish the existing building and to replace it with a new three-storey office building. The new building will be approximately 10.5 metres in height and feature a rooftop amenity area as well. The project proposes four parking stalls at grade, which are accessed from a lane off Cobourg Street. Landscape improvements are also proposed along the property frontages.

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

A Zoning By-law amendment is required as the site is currently zoned Residential Fourth Density, subzone M, exception 481 (R4M[481]), which allows for office space that is limited to a diplomatic mission. A zoning amendment will be required to permit an office, limited to an embassy as a stand alone use. The proposed amendment would also introduce site-specific performance standards as shown in Document 3. The zoning amendment will not permit any additional commercial uses and continue to permit the range of residential uses with the R4M designation. The property is also subject to the heritage overlay provisions of the zoning by-law, which the amendment will seek relief from to permit the new office building.

## **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. A public information session was organized by the Ward office and held on January 25, 2018 with six residents in attendance, planning and heritage staff, and the consulting team.

During the initial circulation period, 11 comments were received. Of the comments submitted, seven comments oppose the project, two comments support it and three letters offered comments on the project. From the initial submission, the applicant's design team incorporated revisions into the project to address concerns from the public, staff and the Built Heritage Subcommittee. The revised plans incorporate the following design changes including but not limited to:

- A reduction to the height of the building and the length of the accessible ramp. The ramp entrance is now more closely related to the main entrance of the building, which is a significant improvement and is consistent with the Human Rights Code and the Provincial Policy Statement as relates to accessibility.
- The addition of window wells to allow for daylighting into the basement on the north side of the building.
- The front entrance has been reworked to have one stair accessing the building, instead of two as per the initial submission, resulting in an increase in greenspace along Cobourg Street.
- Extending the existing interlocking paving into the area of bicycle parking and ramp entrance and along the west property line.
- Reducing the visual impact of the rooftop terrace's guardrail by revising its setback from the edge of the third floor parapet to 1.5 meters.
- Reducing the visual impact of the massing of the proposed third floor by setting it back approximately one meter from the edge of the second floor parapet along the south, west and north sides.

- Changing the material of the third floor facade from white to dark grey porcelain panels to relate more closely with the neighbourhood.
- Relocating the bicycle parking from the right-of-way to within the property boundary.
- Moving the building to the west to provide a 1.2-metre setback on the east side.
- Significantly reducing the window area to comply with the requirement for unprotected openings. As a result, the windows of the stairwells on the east facade have been relocated to the north and south facades.
- Adding windows to the south side of the building to relate to Wilbrod Street.
- A cornice line has been introduced on the two storey brick volume along Cobourg Street and along the north side to reference the previous cornice.

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

### **Official Plan designation**

The site is designated General Urban Area on Schedule B of the City of Ottawa's Official Plan. This designation permits a full range of uses, including a variety of residential types. As well, the General Urban Area designation permits a variety of non-residential uses including, but not limited to service, retail, employment, commercial and offices. The use of the property as a diplomatic mission had been established in the area for a significant period of time without any undue adverse impacts within the converted residential dwelling and as such it is the department's position that the establishment of a standalone office is considered compatible with the policies of the Official Plan. Specifically, the proposed use is appropriate when considered in the context of the surrounding community, which is home to numerous official embassies and diplomatic missions.

### **Sandy Hill Secondary Plan**

The property is located within the Sandy Hill Secondary Plan. The purpose of the plan is to guide growth and change within the Sandy Hill plan area and contains additional policies for the respective land-use designations. The property is within the Low-Profile Residential Area on Schedule J of the plan. Policy 5.3.2 of the secondary plan outlines that public uses that complement the residential area in type and intensity will be permitted in Residential Land Use areas. The use of the property as an embassy for the

Uganda High Commission was established when the dwelling was converted in 1985. The existing zoning of the site also recognizes the use. The Ugandan High Commission operated and occupied an embassy at the property until 2014 when structural, health and safety, and environmental issues forced the Commission's staff to leave the building.

### **Heritage Designation**

The building falls under Part V of the *Ontario Heritage Act* as it is located within the Wilbrod/Laurier Heritage Conservation District. As per the Heritage Survey form for the building, the property is rated Category 3. The Wilbrod/Laurier Heritage Conservation District Plan encourages the retention of Category 3 buildings. In addition, it has guidelines to be considered for infill development projects. Given the condition of the existing building, the department does not object to its demolition. A report supporting the proposal was considered by the Built Heritage Sub-Committee on February 8, 2018 and April 12, 2018.

### **Planning Rationale**

In considering the proposed Zoning By-law amendment, the key policy considerations are found within the Official Plan and the Sandy Hill Secondary Plan.

The proposed rezoning is consistent with the General Urban Area Designation, which permits a wide variety of uses, including those related to employment, such as offices.

In accordance with the Sandy Hill Secondary Plan, the proposed office is a sensitive land use that has been established in the community and complements the abutting residential land uses. In particular, this office use will integrate well with the other embassies, high commissions and diplomatic missions within the immediate surroundings and broader Sandy Hill neighbourhood. There are no expected undue adverse impacts because the proposed building is complementary to and of a similar scale as the existing and planned function of the community. The proposed bulk, mass and height of the building are reasonable and appropriate. The design changes to the original proposal respond to comments from the public and staff and further improve the project's fit within the neighbourhood and the heritage context.

### **Built Form and Compatibility**

The application has also been evaluated in accordance with the compatibility policies of Sections 2.5.1., 4.11 and 4.6.1 of the Official Plan. Section 2.5.1 of the Official Plan



provides direction on urban design and compatibility. The policies of the plan encourage good urban design and innovative architecture. The application has responded to the design considerations by ensuring that the new development respects the character of existing areas and defining quality public and private spaces through development. Through the review of the application with Planning and Heritage staff, the design of the project has been revised significantly to create a form and mass of development that is sensitive to the Heritage Conservation District Plan guidelines and complementary with the immediate neighbourhood, which permits development densities up to the form of a low-rise apartment building. The brick and porcelain panels are part of the application under the *Ontario Heritage Act* and are compatible and appropriate within the surrounding heritage context. The various landscaping improvements along both street frontages again complements the immediate street character and softens the development when viewed from the public realm, in particular the extension of the brick patterning along Cobourg Street as shown on Document 5. Existing trees are to be preserved on public property, thereby maintaining the tree quality tree canopy within the public realm.

In addition to the Design Objectives noted above, the Official Plan contains objective criteria within Section 4.11, Urban Design and Compatibility. Issues such as noise, light spillover, parking, access, and shadowing are considerations to be assessed when reviewing the potential impacts between existing and new development.

With respect to traffic and parking, the applicant is proposing four parking spaces to be located on the subject property, which staff are recommending as a minimum parking requirement. The department does not anticipate that traffic and parking will create any undue adverse impacts. A diplomatic loading zone is currently designated along the Cobourg Street frontage immediately abutting the site and can also support additional parking needs. Design considerations with respect to light spill over and shadowing will be further assessed through the concurrent site plan control application; however, given the proposed mass of the building there are no expected adverse impacts.

Section 4.6.1 of the Official Plan, Heritage Buildings and Areas, speaks to the considerations when assessing a heritage application. When reviewing applications for Zoning By-law amendments, Site Plan Control Approval, Demolition Control, or Minor Variance the City will ensure that the proposal is compatible with its surroundings. Staff will assess matters including but not limited to massing and profile in the area, the width

of nearby heritage buildings, established setback patterns, building orientation, and ensuring that parking facilities are compatibly integrated into heritage areas.

The proposed massing is consistent and compatible with the existing and planned function of the area. The positioning of the new building along the Cobourg Street and Wilbrod Street frontages is consistent with the established pattern of development and location of the existing converted dwelling that is to be removed. The proposed surface parking for the building will be screened with planting, as shown on Document 5.

### **Conclusion**

The proposed Zoning By-law amendment to allow for an office use, limited to an embassy, is consistent with the surrounding character of the neighbourhood and with the policies of the Official Plan and Provincial Policy Statement. The proposed development, to be implemented through the provisions of the site-specific zoning and *Ontario Heritage Act* approvals, represents good land-use planning.

### **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:

“The demolition of 231 Cobourg is a loss to the contributing heritage stock of the neighbourhood. There is an ongoing debate amongst professionals as to what the value of the building actually is given its current state. However, that is not something that the neighbourhood agrees with. The proper investments were not made over the years to address the structural changes that appeared on the foundation and building which brings us to the current state of disrepair. The efforts of the Sandy Hill community to build the Prime Minister’s row initiative builds on connecting the lived experiences of the Prime Minister’s who lived in our community.”

## **LEGAL IMPLICATIONS**

In accordance with Bill 139, if the proposed zoning by-law is adopted, it can only be appealed on the basis of inconsistency with the Provincial Policy Statement or lack of conformity with the official plan. Were the zoning by-law appealed, the preparation of the necessary documentation for the Local Planning Appeal Tribunal and the making of submissions to the Tribunal could be done within staff resources.

It continues to be the case that if the zoning by-law amendment is refused, reasons must be provided. In the case of a refusal, it would be necessary to immediately seek to retain an outside planner in order to be able to provide an affidavit in support of the refusal.

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with the recommendation in this report.

## **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with the recommendations of 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 operating budget.

## **ACCESSIBILITY IMPACTS**

The new building 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* requirements for site design may also apply and will be reviewed through the Site Plan Control process.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

HC4 – Support Arts, Heritage and Culture

GP1 – Strengthen public engagement

### **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 additional time required to address design considerations.

### **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Zoning Key Plan

Document 3 Details of Recommended Zoning

Document 4 Consultation Details

Document 5 Conceptual Site Plan

Document 6 Conceptual Building Elevations

### **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).



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-17-0033	17-0694-D		
D07-12-17-0047			
I:\COV2017\Zoning\Cobourg_231			
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers          All rights reserved. May not be produced without permission.          THIS IS NOT A PLAN OF SURVEY</small>			
<small>©Les données de parcelles appartient à Teranet Enterprises Inc.          et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit          sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE</small>			
REVISION / RÉVISION - 2017 / 05 / 05		 <b>231 rue Cobourg Street</b>  Heritage (Section 60) Patrimoine (Article 60)	
Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) / Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)			

Document 2 – Zoning Key Plan



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-17-0033	17-0694-D	<b>231 rue Cobourg Street</b>	
D07-12-17-0047		 Area A to be rezoned from ^_R4M[481] to ^_R4M[XXXX] Le zonage du secteur A sera modifié de ^_R4M[481] à ^_R4M[XXXX]	
I:\COV2017\Zoning\Cobourg_231		 Heritage (Section 60) Patrimoine (Article 60)	
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.</small>		Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) / Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)	
<small>©Les données de parcelles appartient à Teranet Entreprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE</small>			
REVISION / RÉVISION - 2018 / 01 / 15			

### Document 3 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 231 Cobourg Street:

1. Rezone the lands shown in Document 1 from R4M[481] to R4M[XXXX].
2. Add a new exception XXXX [XXXX] to Section 239, Urban Exceptions, with provisions similar in effect to the following:
  - a) Add to column III, Additional Permitted Uses, the text “office, limited to an embassy”.
  - b) Add in column V, Provisions, the text:
    - Despite Section 161, the following provisions apply to an office, limited to an embassy:
      - Maximum Building Height – 10.5m;
      - Minimum Front Yard Setback (Wilbrod Street) – 3.0m;
      - Minimum Rear Yard Setback – 6.0m;
      - Minimum Corner Side Yard Setback (Cobourg Street) – 1.2m;
      - Minimum Interior Side Yard Setback – 1.2m;
      - Minimum Lot Area – 320 square metres;
      - Minimum Lot Width 12.5m;
      - Section 139 does not apply;
      - Minimum Parking for an office – 4.
  - c) Section 60 does not apply to the construction of a new office building limited to an embassy.

#### Document 4 – Consultation Details

Notification and consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by Council for Zoning By-law amendments. Eleven comments were received predominately in response to the original and recirculated application. Of the comments submitted, seven comments opposed the project, two comments supported it and three letters offered comments on the project. A public information session was held on January 25, 2018 with residents, planning and heritage staff, and the consulting team in attendance.

Staff notes that during the application review process, the building was redesigned as shown in Documents 5 and 6.

The applicant has also submitted an application under the *Ontario Heritage Act* for demolition and new construction. The Built Heritage Subcommittee considered the application on February 8, 2018 and April 12, 2018. Staff has recommended that the building being removed and new construction be permitted as show on Document 6.

A summary of the comments received and a staff response have been provided below.

Comment:

Clarification on the retention of the existing trees on Wilbrod Street was requested.

Response:

The two existing municipal trees on Wilbrod Street will be retained. The applicant has also revised the landscaping treatment in this area to remove the amount of hardscape and introduce additional soft landscaping, which is more complementary to the streetscape.

Comment:

Add more landscaping elements along the Cobourg Street frontage.

Response:

Additional landscaping has been added to both the Cobourg Street and Wilbrod Street frontages. The applicant will be required to enter into a Maintenance and Liability Agreement with the City for the landscaping elements within the public right-of-way. This agreement will be secured through the related Site Plan Control approval.



Comment:

Concerns were raised about allowing the existing building to be removed when it appears that there was no effort made to maintain the condition of the dwelling, leading to “demolition by neglect”.

Response:

In consultation with Heritage staff, the applications were assessed against the applicable heritage policies and guidelines that speak to when the demolition of a building within a Heritage Conservation District can be considered. As well, the applicant has prepared an assessment of the building that documents the condition of the building and the various factors that lead to the Uganda High Commission vacating the building for health and safety concerns.

Comment:

Reduce the proposed building from three to two storeys.

Response:

The introduction of a longer two storey building on the site would not be in keeping with heritage design guidelines and best practices that seek to position the mass of a new building in-line with the original footprint and built form context. Staff are satisfied with the footprint of the proposed building as it relates to heritage preservation guidelines. As well, significant revisions have been made to the original concept in response to feedback received to reduce the potential impacts of a three-storey building.

Comment:

Concerns were raised about the potential shadowing impact of the proposed building.

Response:

The applicant has prepared a sun shadow analysis in support of their application. The shadowing impacts on the property to the east and west are expected to be minimal given the height of the previous building. As well, any potential impacts are expected to be mitigated by the modifications to the design which reduced the size of the third storey.

Community Organization Comments and Responses

Action Sandy Hill (letter dated April 25, 2017)

Dear Mayor Watson and Councillor Nussbaum,

Last week, a committee of Action Sandy Hill met with the architect for the proposed demolition and replacement for the above noted building, which is identified as a contributing building in the Wilbrod/Laurier Heritage Conservation District. A tour of the building revealed that it was in an appalling state of repair due to being vacant and unmaintained for the last four years. Given the conditions for the building, we were regrettably prepared to consider demolition.

However, thanks to the research efforts of some of our members, we have now ascertained that Prime Minister Lester B. Pearson lived at this address from 1955 to 1958 inclusive. John English's biography of Pearson, *The Life of Lester Pearson, Vol 2* (Knopf, 1992) notes that Pearson's wife purchased the duplex at 231 Cobourg Street in 1954. According to the Ottawa Directory, 1-231 Cobourg is listed as the home address of Lester B. Pearson, MP for the years 1955-1958 inclusive. In 1958, he is listed as "leader of the Liberal Party", as well as an MP. It is also worth noting that Pearson won the Nobel Peace Prize in 1957 while he was living at 231 Cobourg; this remains the only Nobel Peace Prize won by a Canadian.

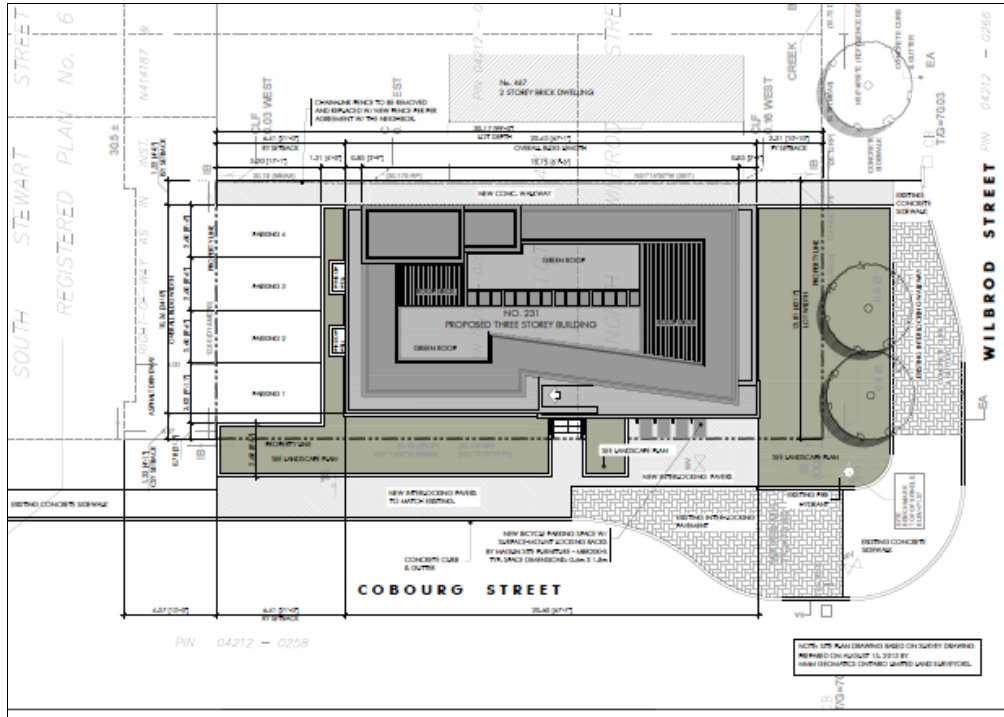
The above noted information about Pearson's ownership and residency in this building does not seem to be reflected in either the City's assessment of the heritage value of the building, or in the Cultural Heritage Impact Statement prepared for the Ugandan High Commission. We hope that City staff can correct this oversight and reassess the scoring of the heritage significance of this building.

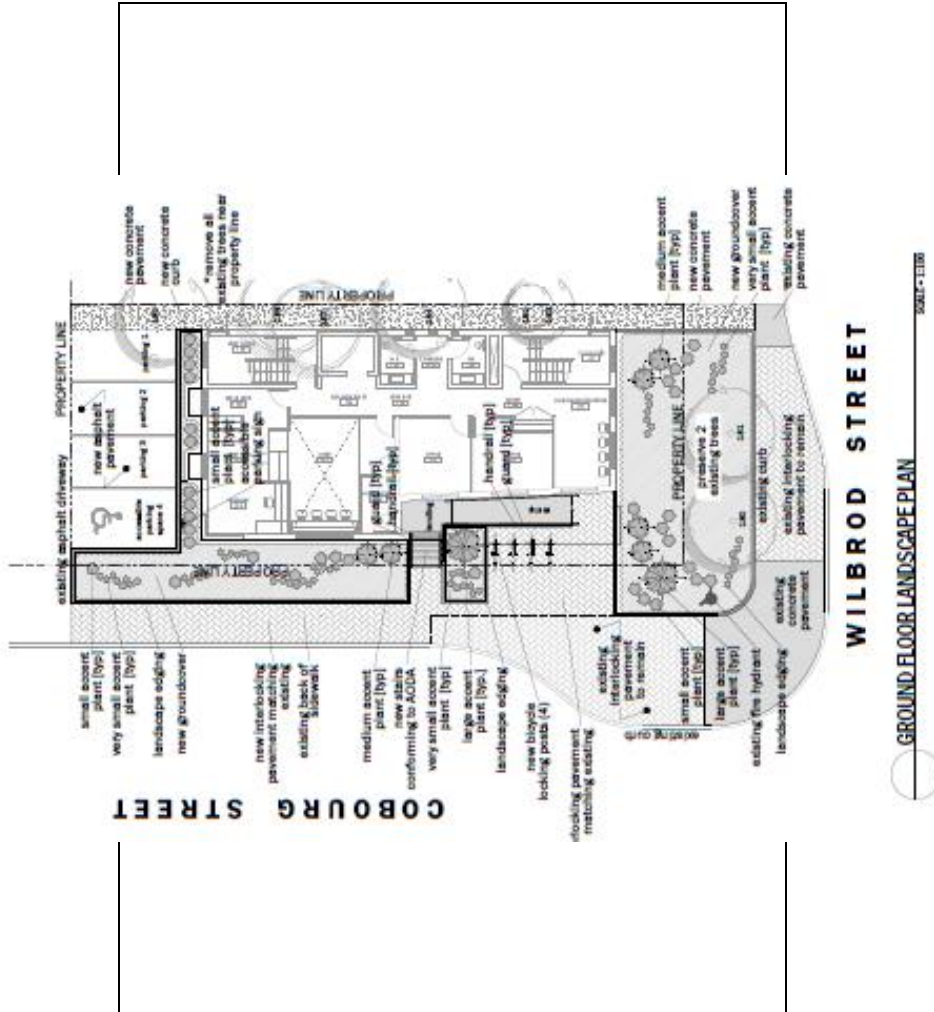
Given this new information, ASH vehemently opposes the demolition of the existing building at 231 Cobourg; and we hope that we can count on your support in our efforts to ensure that this significant heritage building is retained and restored.

Response:

The applicant has prepared a revised Cultural Heritage Impact Statement (CHIS), which takes into account this new information. The revised report was considered by Heritage staff in their assessment and recommendation.

Document 5 – Conceptual Site Plan and Landscape Plan





Document 6 – Conceptual Building Elevations

