

1. Zoning By-law Amendment – 388 and 400 Albert Street, 156 and 160 Lyon Street

Modification au Règlement de zonage – 388 et 400, rue Albert, 156 et 160, rue Lyon

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 388 and 400 Albert Street, 156 and 160 Lyon Street to permit a mixed-use development consisting of three high-rise towers at 23, 29 and 35 storeys, as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant les 388 et 400, rue Albert et les 156 et 160, rue Lyon, afin de permettre un aménagement polyvalent constitué de trois tours de 23, 29 et 35 étages, comme l'expose en détail le document 2.

Documentation/Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated August 12, 2020 (ACS2020-PIE-PS-0079)

Rapport du Directeur, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 12 août 2020 (ACS2020-PIE- PS-0079)

2. Extract of draft Minutes, Planning Committee, August 27, 2020

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 27 août 2020

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
27 August 2020 / 27 août 2020**

**and Council
et au Conseil
9 September 2020 / 9 septembre 2020**

**Submitted on 12 August 2020
Soumis le 12 août 2020**

**Submitted by
Soumis par:
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Ward: SOMERSET (14)

File Number: ACS2020-PIE-PS-0079

**SUBJECT: Zoning By-law Amendment – 388 and 400 Albert Street, 156 and 160
Lyon Street**

**OBJET: Modification au Règlement de zonage – 388 et 400, rue Albert, 156 et
160, rue Lyon**

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to
Zoning By-law 2008-250 for 388 and 400 Albert Street, 156 and 160 Lyon**

Street to permit a mixed-use development consisting of three high-rise towers at 23, 29 and 35 storeys, as detailed in Document 2.

2. That Planning Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* 'Explanation Requirements' at the City Council Meeting of September 9, 2020," subject to submissions received between the publication of this report and the time of Council's decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 visant les 388 et 400, rue Albert et les 156 et 160, rue Lyon, afin de permettre un aménagement polyvalent constitué de trois tours de 23, 29 et 35 étages, comme l'expose en détail le document 2.
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation, 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 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 de la *Loi sur l'aménagement du territoire*, à la réunion du Conseil municipal prévue le 9 septembre 2020 », 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

Staff Recommend Approval

This report recommends that Council approve an amendment to Zoning By-law 2008-250 for 388 and 400 Albert Street, 156 and 160 Lyon Street. The amendment will facilitate the permission of a new mixed-use development with three towers and a variety of retail at grade and mix of residential units with approximately 930 dwelling dwellings units. Proposed buildings include a 23, 29 and 35-storey tower.

The Zoning By-law amendment application seeks to rezone the properties by rectifying the current zoning permissions to have one zone and set of zoning provisions applicable to the lands versus the current mix of provisions within the Residential Fifth Density Zone, Subzone Q (R5Q) and various exceptions and height schedules affecting different portions of the property. The current zoning generally permits high-rise residential buildings and a variety of limited non-residential uses on the ground floor. Permitted heights across the property range from 49.85 metres, 63 metres, 64 metres, and 85 metres. The proposed development with three high-rise towers is seeking heights at 118 metres (35 storeys), 100 metres (29 storeys), and 81.5 metres (23 storeys) for the respective towers.

Applicable Policy

The proposed development is consistent with the Official Plan (OP) and Central Area Secondary Plan. The Central Area, a target area for intensification, permits a wide variety of uses that encourage day/night and year-round activities. Walking, cycling and transit are a priority during peak traffic periods, and the policy framework places a strong emphasis on quality urban design, human scale development and an enhanced pedestrian realm. With respect to building height, the Central Area designation relies on Annex 8A for view protection as seen from key viewpoints such as Parliament, and Annex 8B is specific to maximum building heights / angular planes. While the proposed development is not located within the area subject to Annex 8B, the applicant conducted a thorough view analysis and demonstrated that proposed heights are consistent with the policy framework.

The Central Area Secondary Plan in Volume 2 of the OP is applicable. Within this plan, the site is located within the Upper Town designation. The vision for Upper Town is to develop as a predominantly residential neighbourhood, which allows some limited commercial uses, with an emphasis on an enjoyable pedestrian environment. The designation also recognizes that the built form will be predominantly medium and high-profile development; supporting high-rise development.

Public Consultation / Input

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for Development Applications.

The applicant team and owner, in collaboration with Councillor McKenney and the Centretown Community Association, held a Community Information Session on November 7, 2019, that was done in an Open House format with display boards

concerning land uses, public realm, landscaping, architecture and urban design. Each display board had the applicant Team Lead present to take notes and feedback. Staff attended the event and responded to questions on process.

During application review, approximately 25 individuals/groups provided comments, with some citing support for building design, large retail unit and public spaces replacing the parking lot, while others expressed concerns about building height, traffic congestion, garage entrance and construction impacts.

RÉSUMÉ

Approbation recommandée par le personnel

Le présent rapport recommande l'approbation par le Conseil municipal d'une modification au Règlement de zonage 2008-250 visant les 388 et 400, rue Albert et les 156 et 160, rue Lyon. Cette modification permettra d'autoriser un nouvel aménagement polyvalent constitué de trois tours abritant une variété d'utilisations de vente au détail au niveau du sol et environ 930 logements de divers types. Les immeubles proposés seraient des tours de 23, 29 et 35 étages.

La demande de modification au Règlement de zonage a pour objet de modifier la désignation de zonage de la propriété en rectifiant les autorisations de zonage actuelles de manière à ce qu'une seule zone et un ensemble de dispositions de zonage s'appliquent aux terrains visés, au lieu de l'éventail actuel de dispositions de la Zone résidentielle de densité 5, sous-zone Q (R5Q), assortie de diverses *exceptions* et d'annexes de hauteur touchant différentes parties de la propriété. Le zonage actuel permet d'une manière générale les immeubles résidentiels de grande hauteur et une variété d'utilisations non résidentielles limitées au rez-de-chaussée. Les hauteurs autorisées sur l'ensemble de la propriété sont de 49,85 mètres, 63 mètres, 64 mètres et 85 mètres. L'aménagement proposé des trois tours atteindra respectivement des hauteurs de 118 mètres (35 étages), 100 mètres (29 étages) et 81,5 mètres (23 étages).

Politique applicable

L'aménagement proposé est conforme au Plan officiel et au Plan secondaire de l'Aire centrale. Ce secteur cible de densification peut être occupé par une grande variété d'utilisations qui favorisent à l'année les activités diurnes et nocturnes. Les déplacements à pied, à vélo et en transport en commun sont prioritaires aux heures de pointe, et le cadre stratégique met nettement l'accent sur la qualité du design urbain, les

aménagements à échelle humaine et la mise en valeur du domaine piétonnier. En ce qui concerne la hauteur des bâtiments, la désignation d'Aire centrale relève de l'annexe 8A en matière de protection des perspectives, notamment de perspectives d'importance comme celle sur l'édifice du Parlement. L'annexe 8B porte particulièrement sur les hauteurs de bâtiments maximales et les plans angulaires. Bien que l'aménagement proposé ne soit pas prévu dans le secteur assujéti à l'annexe 8B, le requérant a mené une analyse visuelle détaillée et a pu démontrer que les hauteurs proposées sont conformes au cadre stratégique.

Le Plan secondaire de l'Aire centrale, qui figure dans le volume 2 du Plan officiel, s'applique. Dans ce plan, l'emplacement est localisé dans le secteur désigné Haute-Ville. La vision d'avenir pour ce secteur consiste notamment à aménager un quartier essentiellement résidentiel, où les utilisations commerciales sont autorisées en nombre limité et où l'accent est mis sur la création d'un environnement piétonnier agréable. Cette désignation tient également compte du fait que la forme bâtie sera essentiellement de profil moyen et élevé, favorable à un aménagement de grande hauteur.

Consultation publique et commentaires

Les membres du public ont été avisés et consultés conformément à la politique en la matière adoptée par le Conseil municipal pour les demandes d'aménagement.

L'équipe du requérant et le propriétaire, en collaboration avec la conseillère McKenney et l'Association communautaire du Centre-ville, ont organisé une réunion communautaire d'information le 7 novembre 2019, sous la forme d'une séance portes ouvertes au cours de laquelle ont été installés des tableaux illustrant les utilisations du sol, le domaine public, l'aménagement paysager, l'architecture et le design urbain. Le chef d'équipe du requérant était présent devant chaque tableau pour prendre des notes et prendre acte des commentaires. Des membres du personnel ont assisté à la séance pour répondre aux questions portant sur le processus.

Pendant la période d'examen de la demande, environ 25 personnes ou groupes ont fourni des commentaires, certains étant favorables à la conception *des tours*, au vaste espace de vente au détail et aux espaces publics remplaçant l'aire de stationnement. D'autres ont en revanche fait état de leur préoccupation au sujet de la hauteur des bâtiments, des embouteillages, de l'entrée du garage et des répercussions des travaux.

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

388 and 400 Albert Street, 156 and 160 Lyon Street

Owner

Main and Main Developments LP

Applicant

Stantec (Nancy Meloshe)

Architect

IBI Group

Description of site and surroundings

The site is bound by Albert Street to the north, Lyon Street to the east, Slater Street to the south, and Bay Street to the west encompassing nearly the entirety of the block except for the northwest corner. The site is an approximate 1.5-acre lot with 81 metres of frontage on Albert Street, 60 metres on Lyon Street, 122 metres on Slater Street, and 30 metres on Bay Street.

Currently, the site is being used as a surface parking lot and some vacant land. Two three-storey apartment buildings exist to the northwest of the site between the site boundary and Bay Street. To the north, east, and south consist a variety of buildings, predominantly high-rise, including residential, hotel, office, and commercial uses. To the west, is an institutional use, high-rise residential, and a predominantly low-rise residential neighbourhood further west.

The furthest corner of the site is approximately 225 metres walking distance to the Lyon O-Train Station.

Summary of proposed development

The proposed development consists of three high-rise towers at 23-storeys (Tower A), 29-storeys (Tower B), and 35-storeys (Tower C), with Tower A and Tower B connected by a three-storey podium. Tower A is situated to the east of the two existing three-storey apartment buildings and fronts Albert Street on the northwest corner of the lot; Tower B is located at the southeast corner of the lot near the intersection of Slater Street and Lyon Street; and, Tower C is located at the southwest corner of the lot near the intersection of Bay Street and Slater Street, as shown in Document 4. The three towers combined propose approximately 930 residential dwelling units, with ground and second floor commercial uses. The underground parking garage is accessed from Bay Street and provides a total of 430 parking spaces.

Summary of requested Zoning By-law amendments

The Zoning By-law amendment application seeks to rezone the properties by rectifying the current zoning permissions to have one zone and set of zoning provisions applicable to the lands versus the current mix of provisions within the Residential Fifth Density Zone, Subzone Q (R5Q) and various exceptions and height schedules affecting different portions of the property. The current zoning generally permits high-rise residential buildings and a variety of limited non-residential uses on the ground floor. Permitted heights across the property range from 49.85 metres, 63 metres, 64 metres, and 85 metres. The proposed development with three high-rise towers is seeking heights at 118 metres (35 storeys), 100 metres (29 storeys), and 81.5 metres (23 storeys) for the respective towers.

Details of the recommended rezoning includes the following:

- Rezone the site to R5Q [242] S89 -h;
- Replace existing Schedule 89A and 89B, with a new Schedule 89 to define maximum permitted building heights, as shown in Document 3.
- Modify Urban Exception 242 to provide new provisions addressing the following:
 - The properties are considered one lot for zoning purposes;
 - Permit stacked bicycle parking systems;
 - Define the maximum gross floor area at 62,000 square metres;

- Allow permitted projections above the maximum number of storeys but within the defined height limits of Schedule 89;
- Identify tower separation between the three proposed towers;
- List the non-residential uses that are permitted as additional uses and limit these uses to being located within a residential building, within the first three storeys and to a maximum of 25 per cent of the gross floor area;
- Reduce setbacks to a minimum of 0.6 metres for an interior lot line, and no setback required along the street frontages;
- Allow outdoor commercial patios within the mid-block connection;
- Minimum driveway and parking aisle width of 6.0 metres;
- Reduce minimum percentage of landscaped area required to 27 per cent;
- Add holding symbol (-h) provisions that must be satisfied through Site Plan Control prior the symbol be lifted, such as conveying parkland to the City, securing the mid-block connection, and tying the approval to elevations that maintain the high design standard and curvilinear building façades; and
- Permit a temporary surface parking lot for a period of up to two years.

Brief history of proposal

The proposed development has not been previously considered by Planning Committee or Council. However, 400 Albert Street was subject to a site-specific Zoning By-law amendment which was approved by Council on [November 25, 2015](#) that showed an initial development concept of three towers. The rezoning approval was limited to the 27-storey tower at the corner of Bay Street and Slater Street while the balance of the site was conceptual and subject to a holding symbol. Since this approval, ownership has changed several times and the development concepts and subject lands now include the properties known as 388 Albert Street, 156 and 160 Lyon Street. The result of the previous rezoning for 400 Albert Street included Schedule 89A and 89B, as well as Urban Exception 242. The recommendations of this report revise and modify these schedules and exception to apply consistent zoning across the entirety of the lands.

The property at 156 and 160 Lyon Street was expropriated by the City in 2012 for the purpose of locating and constructing a Light Rail entrance on behalf of the Ottawa Light Rail Transit Project. In December 2012, Council approved relocation of the Lyon Station to the southeast corner of Queen and Lyon Streets owing to the City's Station Integration initiative. The site has since been operating a temporary parking lot.

On September 13, 2017, City Council declared the property at 156 and 160 Lyon Street surplus to City needs and authorized the Corporate Real Estate Office (CREO) to transfer the property to the Ottawa Community Lands Development Corporation (OCLDC) for future disposal.

Marketing of the property to the general public was initiated on January 30, 2018 by the OCLDC and bidders were expected to meet financial requirements and qualitative development objectives for the site, to be demonstrated through their project description and mandatory concept and elevation plans to be submitted with the financial offer agreement. These included social cultural objectives to be achieved through the provision of privately-owned public space (POPS), architectural and environmental objectives and project experience. Manor Park Holdings (MPH) successfully won the bid and were, at the time, owners of 400 Albert Street, putting the bid in a unique position to incorporate the site into their larger development proposal.

MPH's subsequent sale of the land assembly to Main and Main, was approved by the OCLDC along with minor Site Plan changes suggested by Planning Services staff. CREO staff have advised that the proposal, subject to this report, is consistent with land sale agreements.

Furthermore, it is important to highlight that recommendations of this report include two separate zoning applications concerning the lands. Zoning application D02-02-18-0061, submitted in June 2018, to permit a temporary surface parking lot for up to three years concerning 400 Albert Street. Portions of the site already established a legal non-conforming right for parking lot use, but the application was submitted to allow the use across the entire property. Zoning application D02-02-17-0053 was re-activated to review a new development concept following Main and Main's acquisition of the lands for the three-tower mixed-use development concept and was circulated in September 2019. Staff wanted some assurance that development was intended to proceed on the lands before deciding on the temporary parking lot. Therefore, both applications and zoning recommendations are included within this report. A parking lot is currently permitted at 156 and 160 Lyon Street.

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for Development Applications.

The applicant team and owner, in collaboration with Councillor McKenney and the Centretown Community Association, held a Community Information Session on November 7, 2019, that was done in an Open House format with display boards concerning land uses, public realm, landscaping, architecture and urban design. Each display board had the applicant Team Lead present to take notes and feedback. Staff attended the event and responded to questions on process.

During application review, approximately 25 individuals/groups provided comments, with some citing support for building design, large retail unit and public spaces replacing the parking lot, while others expressed concerns about building height, traffic congestion, garage entrance and construction impacts.

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

Official Plan designation

The site is located within the Central Area designation as shown on Schedule B of the City's OP. Albert Street, Slater Street and Bay Street are identified as on-road cycling routes in Schedule C. Slater Street and Albert Street are designated as an Arterial Road on Schedule E. The site is also located within the area of background height control as per Annex 8A – Central Area Key Viewpoints of the Parliament Buildings and Other National Symbols.

Other applicable policies and guidelines

The Central Area Secondary Plan in Volume 2 of the OP is applicable. Within this Plan, the site is located within the Upper Town designation. The vision for Upper Town is to develop as a predominantly residential neighbourhood, which allows some limited commercial uses, with an emphasis on an enjoyable pedestrian environment. The designation also recognizes that the built form will be predominantly medium and high-profile development, supporting high-rise development.

The [Urban Design Guidelines for Transit-Oriented Development](#) apply as the site is within 600 metres of a Rapid Transit Station (Lyon O-Train Station). The guidelines aim

to provide a mix of uses and densities that complement both transit users and the local community; ensure that the built form is designed and orientated to facilitate and encourage transit use; manage the safe circulation of pedestrians, cyclists, vehicles and parking; and create quality public spaces that provide direct, convenient, safe and attractive access to transit.

Also applicable to the site are the [Urban Design Guidelines for High-Rise Housing](#). Particularly relevant to the proposal are the guidelines specific to building orientation, human-scale, building mass, active at-grade uses, public realm, tower separation and floor-plate size.

Urban Design Review Panel

The property is within a Design Priority Area and was subject to the Urban Design Review Panel (UDRP) process. The applicant presented their proposal to the UDRP at a formal review meeting on October 10, 2019, which was open to the public.

The panel's recommendations from formal review are provided in Document 6.

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

- Improving the mid-block connection treatment by removing the drive-thru loading bay.
- Providing mid-block pedestrian movements through the external pathway and looking at options to incorporate a route through the retail store towards the urban park.
- Building heights were reduced after further viewplane analysis for consistency with the policy framework.
- Tower A was shifted to the east to provide greater separation from the abutting property.
- Residential lobbies were relocated from the midblock connection and replaced with the ground floor retail space along Slater Street, wrapping into the midblock connection.
- Waste collection and loading activity redesigned in response to panel suggestions.

- Park design will be advanced with the City through a separate process, but preliminary improvements have addressed the concern of being a forecourt design to the building.

Staff are confident that the recommendations contained within this report for the Zoning By-law amendments will result in good planning and setup a framework that is consistent with the key items that the panel flagged for further consideration. Final details on the architectural design and public realm treatments will be determined through Site Plan Control.

Planning rationale

Official Plan

The site is designated as Central Area, a target area for intensification, and the designation permits a wide variety of uses that encourage day/night and year-round activities. Walking, cycling and transit are a priority during peak traffic periods, and the policy framework places a strong emphasis on quality urban design, human scale development and an enhanced pedestrian realm.

With respect to building height, the Central Area designation relies on Annex 8A for view protection as seen from key viewpoints such as Parliament, and Annex 8B is specific to maximum building heights / angular planes. While the proposed development is not located within the area subject to Annex 8B, the applicant conducted a thorough view analysis and demonstrated that proposed heights are consistent with the policy framework. The Policy states that for blocks that do not have angular height planes established on Annex 8B, maximum permitted building heights do not violate the intent and aim of this policy, permitted heights are consistent and compatible with building heights generally in the area where no height planes apply, and permitted heights are in keeping with the intent and aim for those areas that are set out by the Central Area Secondary Policy Plan. The proposed buildings, which have a portion exceeding the extrapolated viewplane protection lines is uniquely situated and designed to fit within the existing skyline meeting the intent. The site is also a transitional block in the Secondary Plan between the high-rise context of the Central Building District east of Lyon Street and gradual decrease in heights as properties move to the west within the Upper Town district. These factors were carefully considered to determine the appropriateness of the proposed building heights, and staff also consulted the National Capital Commission (NCC) for acceptance of the development maintaining the intent and aim of key view

protection corridors. Some of the viewplane images are shown in Document 4 with the building highlighted in green.

Section 2.2.2, Managing Growth, provides policy direction for intensification and acknowledges that denser development, including taller buildings, should be located in areas supported by transit priority networks and areas with a mix of uses. The policy also notes that building heights and densities may be established through a Secondary Plan. Being located within the Upper Town designation of the Central Area Secondary Plan, the site has a broad range of access to a mix of uses and community amenities. It also located one block south of Lyon O-train Station and has excellent access to public transit, pedestrian and cycling infrastructure. The site is located in an intensification target area that supports height and density through mixed-use developments and promotes strong urban design with enhanced pedestrian environments.

Sections 2.5.1 and Section 4.11 of the OP provides policy direction for designing Ottawa, urban design and compatibility.

Section 4.11 of the OP references the compatibility of new buildings within their surroundings through setbacks, heights, transitions, colours and materials, orientation of entrances, and incorporating elements and details of common characteristics of the area. The proposed development presents a high-quality design and building architecture that stands out and will showcase this block as active local destination with a strong public realm. The design incorporates a three-storey podium to reflect the human-scale relationship to grade and is consistent with the built form of the existing three-storey apartments on the abutting lot. The design also incorporates a series of building stepbacks as the towers rise and a curvilinear design that breaks down the mass. The site has frontage on four streets, provides a mid-block connection and future urban park, and delivers animation and active entrances on all edges.

Furthermore, the OP contains policy direction for the consideration of 31+ storey buildings, which includes being located within 400 metres of a Rapid Transit Station, contemplated in a Secondary Plan, and demonstrating how the building will contribute to and enhance, the skyline and protecting prominent views. The proposed 35-storey tower of this site was originally submitted at 38-storeys and was reduced as per these policies. The building, as now proposed, fits within the existing skyline and protects the key viewpoints of Parliament and other National symbols. The Upper Town designation in the Secondary Plan supports high-rise development and acknowledges that this will be the predominant built form given the strategic central location. The Lyon O-Train Station is 225 metres from the further part of the site.

Secondary Plan

As per the Central Area Secondary Plan, the site is located within the Upper Town designation. Designated as a location predominantly intended for residential use, the Upper Town area permits buildings of medium and high-rise development. Human scale, a pedestrian oriented streetscape and liveable environment will be achieved through design features which avoid overpowering effects, minimize shadowing and wind, enhance the urban forest and provide usable indoor and outdoor amenity areas. Furthermore, residential liveability will be achieved through the treatment of the lower floors for visual interest, the use of podiums and building setbacks, and the provision of tree planting in the area.

In addition to the above noted OP rationale, the proposed Zoning By-law amendment is consistent with the Upper Town policy direction by allowing high-rise development that is compatible with its surroundings, respects the intent of angular-planes, is predominantly residential with ground-oriented commercial uses to serve the proposed and existing residential uses, creates human scale through the use of a three-storey podium and by varying setbacks around the site and on the upper storeys of the building. The proposed concept illustrates street trees along all frontages, varying private and common outdoor amenity areas, and visually interesting entrances and materiality on the lower floors, and excellent public space with the design of the mid-block connection and urban park.

Furthermore, the applicable Design Guidelines echo many of the policies in Section 4.11, such as tower separation and floor plate sizes. Within the guidelines, the context of a proposal is to recognize the existing urban fabric and surrounding built form. Keeping a podium height in ratio to the street width and relationship between buildings is also important. The two taller towers have a separation distance of 27 metres, and 15 metres between the lower tower. The three towers are offset from one another to maximize sunlight exposure and reduce overlap of the interior façades.

There are several existing older slab type high-rises in the area and the proposed development and Zoning By-law amendments allow for a new high-rise building that avoids a canyon effect and incorporates a three-storey podium design appropriate for the surrounding streets. The use of various setbacks on the middle and upper storeys contributes to the human scale. The proposed commercial uses at-grade will encourage street level activity and animation. Through the Site Plan Control application process, an inviting pedestrian environment will be created with wide sidewalks, ample vegetation,

and minimal vehicle conflicts. It is the department's position that the proposal is consistent with the guidelines for high-rise buildings.

The furthest part of the site is located within 200 metres walking distance from the Lyon Station, which forms part of the O-Train Confederation Line. The proposed development supports the increase for ridership and the ground floor commercial uses add a convenient mix of uses. The proposed built form contributes to a positive pedestrian environment along the abutting street frontages and introduces an enhanced public realm. Bicycle parking will be provided as part of the development in accordance with the Zoning By-law and the details of location and number of spaces will be addressed through Site Plan Control. All vehicular parking will be provided in an underground parking garage. Appropriate lighting, building material and the use of landscaping including street trees will result in a positive streetscape and pedestrian environment.

Recommended Zoning Details

As detailed in Document 2, the proposed Zoning By-law amendment has the effect rezoning the site into an "R5" zone with site-specific provisions and new Schedule 89, providing consistent zoning across the property. The following summarizes the site-specific zoning provisions and planning rationale:

- Urban Exception 240 and Schedule 93 are being modified through rezoning to remove all reference to part of the lands and as they are being rezoned through this report.
- Rezoning the site to "R5Q" is consistent with the Upper Town designation in the Central Area Secondary Plan, which is intended to maintain the area as predominantly residential with limited commercial uses.
- Applying the one lot for zoning purposes provision allows for clarity on the required setbacks and built form in the event of future severances or phased development. More importantly, it ensures that there are no zoning deficiencies when the urban park at the corner of Lyon Street and Albert Street is conveyed to the City. The park location also contributes to overall landscaping strategy of the current site.
- The existing zoning already permits a variety of commercial uses, and limited commercial uses are supported and encouraged within the Central Area. For further consistency with the Upper Town designation, the list of additional permitted uses, non-residential, are restricted to being located within the podium,

and must not exceed 25 per cent of the overall gross floor area to maintain residential prominence. The list of permitted uses is appropriate as local-servicing uses within this area of highly supported active transportation.

- The specific bicycle strategy for this development has not yet been determined, and since the Zoning By-law does not recognize stacked bicycle systems, which can often be used to provide for more bicycle parking options, a provision is being added to the exception to ensure such a system can be used without any zoning deficiency.
- Defining the maximum gross floor area permitted is specifically done to keep the development in context of what has been conceptually proposed since the new Schedule 89 only defines maximum building height. Furthermore, if further revisions are requested, the noted gross floor area will serve as a benchmark for any further Section 37 considerations. The proposed development, at 62,000 square metres only represents a 13.6 per cent increase compared to the current as-of-right density (53,528 square metres), which is why Section 37 does not form part of this report.
- The non-residential uses in this development have not yet been confirmed, but the parking strategy and garage lay-out is designed to separate parking spaces by users. The maximum parking provision limits the number of spaces that can function as a public parking garage, shared amongst all the commercial units, and can also be used to serve as visitor parking.
- The maximum permitted building height established in the new Schedule 89, and provision concerning projections above the height limit is to ensure that the development, as reviewed and analyzed, is not permitted any additional height above what has been deemed acceptable and meeting the intent of the viewplane protection policies. This includes the entirety of the building with no part permitted above the maximum limited on Schedule 89.
- Since Schedule 89 was purposely done in a flexible manner, considering the unique design, additional provisions such as defining one tower per area, and defining minimum tower separation, further enforces the key deliverables of this project without unnecessarily shrink-wrapping the proposed buildings.
- The provision for a principal use Parking Garage being located within another building is carried forward from the current Urban Exception 242.

- Staff are supportive the strong architecture and urban design this development presents and wants to maintain zoning flexibility as the details further evolve through the Site Plan process. Once road widenings are taken, most of the development will have zero setback from the lot lines abutting the street. This has no adverse impact on the ability to deliver a strong public realm with wide sidewalks, street trees and street furniture. Therefore, the recommendation is to permit no setback requirements for lot lines abutting a street. The interior lot line is located on the portion of the property with the abutting three-storey apartment building. The closest point of this development is 0.077 metres, and staff are recommending 0.6 metres to ensure zoning compliance, but more importantly the relationship between the proposed development and the abutting property will be confirmed through Site Plan and is one of the subject items of the holding symbol.
- A 6.0-metre driveway and aisle width are carried over from current Urban Exception 242.
- The “R5” zone requires a minimum landscaped area of 30 per cent. The minor reduction to 27 per cent will have no adverse impacts, and this development had demonstrated a strong public realm treatment, as well as additional landscaping on the terrace levels. Furthermore, previous zoning permitted seven per cent of the landscaped area to be located above grade.
- The use of holding symbol (-h) is a strategy encouraged, and supported by, the OP. It is necessary in this instance to maintain a level of control over the building design (which is exemplary) and secure the provisions for items like the mid-block connection and parkland.
- As mentioned in the Brief History section, the majority of the site is already permitted as a surface parking lot. The City encourages the redevelopment of parking lots, especially within locations such as the Central Area, and staff have developed enough confidence and trust that the proposed development will come to fruition and have no concerns with allowing a temporary parking lot as an interim-use for up to two years while the approval process on the development continues. Furthermore, a temporary parking lot at this address would provide a source of parking for the needs of local businesses, residents, institutions and tourism destinations in the area and meets the objectives of the Municipal Parking Management Strategy. This same objective will be replaced by the public parking garage in the development.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2014 and 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Catherine McKenney provided the following comment:

“This proposal represents an opportunity to develop a large parcel of underused land in the downtown core. The 3-tower concept makes good use of the site and provides space for a mix of uses including residential, retail, institutional and greenspace. The introduction of a public park on the northeast corner of the site will provide seating and shade in a high-traffic downtown area.

The widening of the mid-block connection for pedestrians and cyclists will improve safety and create a more pleasant street level experience. By including continuous sidewalks and situating retail entrances on the mid-block connection, this space will be animated and act as functional route for pedestrians and cyclists.

I had initial concerns with the configuration of the entrance to the underground parking garage and the potential conflict with the cycle track on Bay St. I appreciate the increased distance between the main garage entrance on Bay St. and the sidewalk/cycle lane in order to increase visibility of pedestrians and cyclists for drivers exiting the garage.”

LEGAL IMPLICATIONS

Should the recommendations be adopted, and the resulting Zoning By-law be appealed to the Local Planning Appeal Tribunal, it is anticipated that a three day hearing will result. It is anticipated that this hearing can be conducted within staff resources. In the event that the zoning application is refused, reasons must be provided. Should there be an appeal of the refusal, it would be necessary to retain an external planner.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with the recommendations of this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the report recommendations. In the event the zoning application is refused and appealed, an external planner would be retained. This 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*. During the Site Plan application, the Accessibility Advisory Board will be circulated for comments, but based on preliminary review through the Zoning by-law amendment the development demonstrates that the proposed building is accessible, including common entrances, corridors and amenity areas. Staff have no concerns about accessibility.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Thriving Communities
- Integrated Transportation

APPLICATION PROCESS TIMELINE STATUS

Zoning application (Development Application Number: D02-02-18-0061, temporary parking lot) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to on-going discussions and review of the anticipated development concept which was subsequently submitted. Staff wanted some assurance this important City-building block was going to be developed before making a decision on the temporary parking lot request.

Zoning application (Development Application Number: D02-02-17-0053, Development Concept) was not processed by the "On Time Decision Date" established for the

processing of Zoning By-law amendments due to several complex issues, namely the review and analysis of view protection.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Schedule 89

Document 4 Development Concept and Viewplane Images

Document 5 Consultation Details

Document 6 Urban Design Review Panel: Recommendations

CONCLUSION

The recommended Zoning By-law amendments provide clarity in the zoning applicable to the lands and results in a mixed-use development with an increase to maximum permitted building heights. The development directly responds to the OP and Secondary Plan by developing nearly an entire City block within the Central Area replacing a parking lot by adding intensification, high-quality architecture, significant public realm improvements including a mid-block connection and the provisions for new City-owned urban park. The recommendations of this report promote a lively mix of uses intended to support a vibrant, healthy and desirable community. The building heights were carefully analyzed, and staff opine the intent and aim of the important viewplane policies, have been met. The amendments represent good planning, are consistent with the Provincial Policy Statement, conform to the OP and are recommended for approval.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; Krista O'Brien, Program Manager, Tax Billing and Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

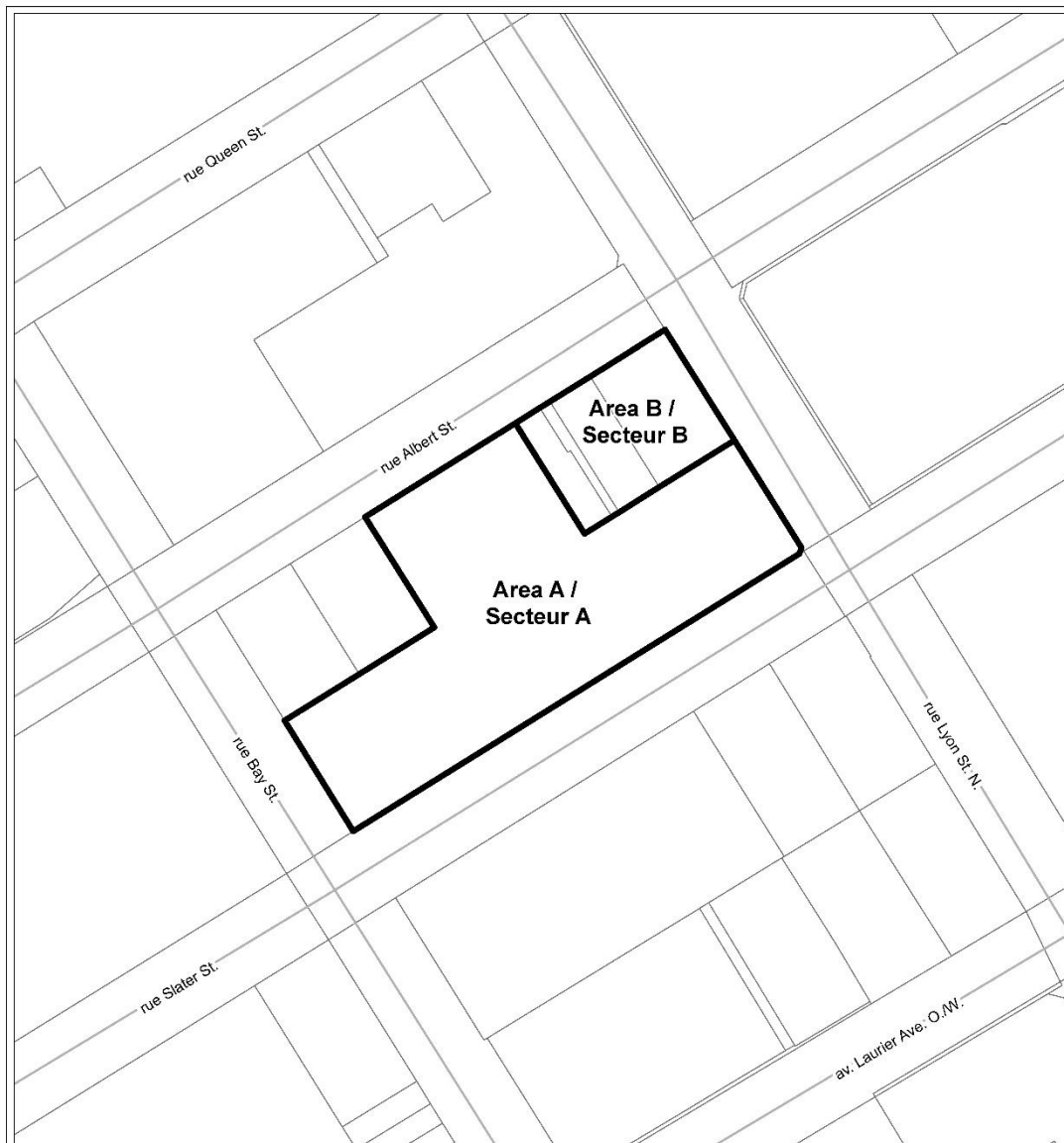
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.



Legal Services, Innovative Client Services Department 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.



			LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-17-0053	17-0973-D	20-0629-L	388, 400 rue Albert St., 156,160 rue Lyon St. N.	
D07-12-17-0069	19-1027-B		<div style="display: flex; align-items: center;"> <div style="border: 2px solid black; width: 20px; height: 10px; margin-right: 5px;"></div> <div> <p>Area A to be rezoned from R5Q [242] S89A S89B h1 h2 to R5Q [242] S89-h</p> <p>Le zonage du secteur A sera modifié de R5Q [242] S89A S89B h1 h2 à R5Q [242] S89-h</p> <p>Area B to be rezoned from R5Q [240] H(64) S93 to R5Q [242] S89-h</p> <p>Le zonage du secteur A sera modifié de R5Q [240] H(64) S93 à R5Q [242] S89-h</p> </div> </div>	
<p>I:\COV2017\Zoning\Albert_400</p> <p><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></p> <p><small>©Les données de parcelles appartiennent 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></p>			<p>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)</p>	
<p>REVISION / RÉVISION - 2020 / 07 / 15</p>				

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 388 and 400 Albert Street, 156 and 160 Lyon Street are as follows:

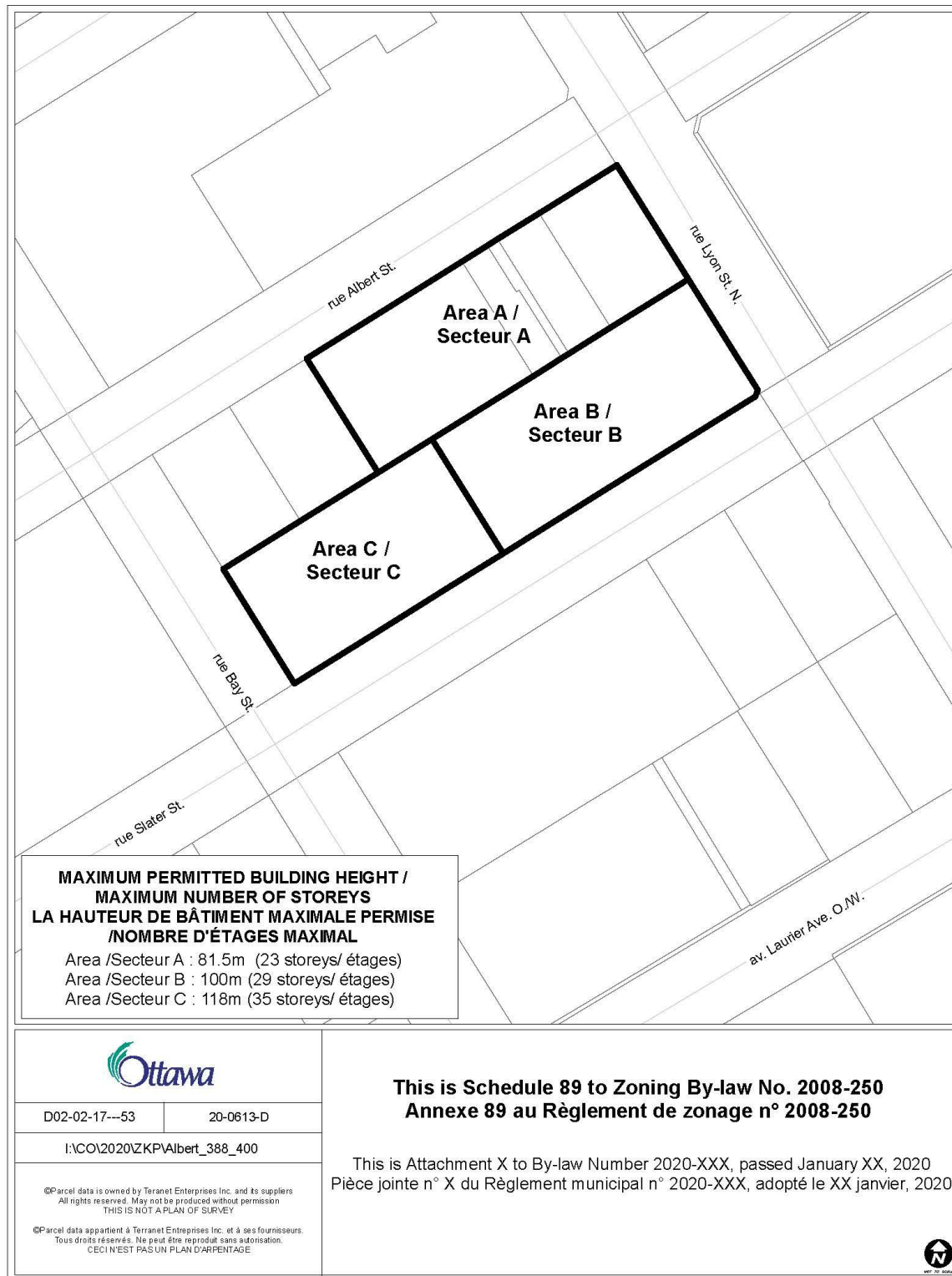
1. Rezone the lands as shown on Document 1, as follows:
 - i. Rezone 400 Albert Street (Area A) from R5Q [242] S89A S89B h1 h2 to R5Q [242] S89 -h
 - ii. Rezone 388 Albert Street, 156 and 160 Lyon Street (Area B) from R5Q [240] H(64) S93 to R5Q [242] S89 -h
2. Amend Part 17, Schedules, as follows:
 - i. Delete Schedules 89A and 89B, and replace them with Schedule 89, as shown in Document 3.
 - ii. Amend Schedule 93 by removing Area F.
3. Amend Section 239, Urban Exception 240, as follows:
 - i. In Column V, delete the text “and 3,252 m² in Area F” from the first provision, and delete the provision; “in Area F on Schedule 93 there may be 8,000 m² of gross floor area if Area F on Schedule 93 and the abutting lands are on the same lot and Area F on Schedule 93 and the abutting lands on the same lot are only used for residential uses”.
4. Amend Section 239, Urban Exception 242, as follows:
 - i. In Column II, list the zone code as “R5Q [242] S89 -h”.
 - ii. In Column III, additional land use permitted, add the following uses:
 - Personal service business, bank, restaurant, retail store, retail food store, convenience store, office, parking garage, animal care establishment, artist studio, bank machine, catering establishment, click and collect facility, community centre, community health and resource centre, day care, instructional facility, medical facility, municipal service centre, post office, recreational and athletic facility, research and development, service and repair shop, training centre.

- iii. In Column V, delete all the provisions and replace them with provisions similar in effect to the following:
- a. Properties subject to Urban Exception 242 are considered as one lot for zoning purposes.
 - b. Stacked bicycle parking systems are permitted, and such systems are exempt from the minimum bicycle parking space dimensions.
 - c. Maximum combined Gross Floor Area permitted: 62,000 square metres.
 - d. Public parking garage, visitor and non-residential use parking spaces are limited to a maximum total of 84 parking spaces.
 - e. Maximum permitted building heights and maximum number of storeys as per Schedule 89.
 - f. Despite Section 64, projections are permitted above the maximum number of storeys shown on Schedule 89 but shall not exceed the maximum height limits in metres defined on Schedule 89.
 - g. A maximum of one tower is permitted within each Area (A, B, C) of Schedule 89.
 - h. Minimum tower separation between Area A and Area B/C is 15 metres, and between Area B and C is 27 metres.
 - i. Endnote 35 of Table 164B does not apply, and the additional permitted land uses listed in Column III are subject to the following:
 - i. Must be located in a building containing dwelling units;
 - ii. Are restricted to being located within the first three storeys, and basement only; and
 - iii. Shall not exceed 25 per cent of the Gross Floor Area of the building in which the use is located.
 - j. Where a non-residential use exists within a building, for the purpose of applying Table 164A the applicable land use is apartment dwelling, high-rise.

- k. Parking Garage as a principal use, must be located below grade and within a building containing other uses and is not to be included as part of the maximum gross floor area.
- l. Minimum yard setbacks:
 - i. Abutting a street: none
 - ii. Interior Side Yard: 0.6 metres
- m. Section 85 does not apply to an outdoor commercial patio located within an interior yard.
- n. Driveway width and Parking Aisle width requires a minimum of 6.0 metres.
- o. Minimum percentage of landscaped area required: 27 per cent
- p. The holding symbol may not be lifted until a Site Plan application is approved, including the execution of an agreement pursuant to Section 41 of the *Planning Act*, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department, and will satisfy the following:
 - i. In addition to Cash-in-Lieu Parkland, provide at least 400 square metres of land for an urban park, and to be conveyed to the City;
 - ii. Provide for a mid-block connection, subject to a pedestrian easement, between Albert Street and Slater Street;
 - iii. Ensure adequate separation and built-form relationship to the abutting property generally in accordance with the design concept from zoning application D02-02-17-0053;
 - iv. Approved Elevations confirming the curvilinear design of the concept buildings and a series of setbacks and stepbacks above the podium;
- q. Despite the additional land uses permitted, a temporary surface Parking Lot is permitted is from the date of the passing of this by-law for a period of two years and is not subject to the holding symbol.

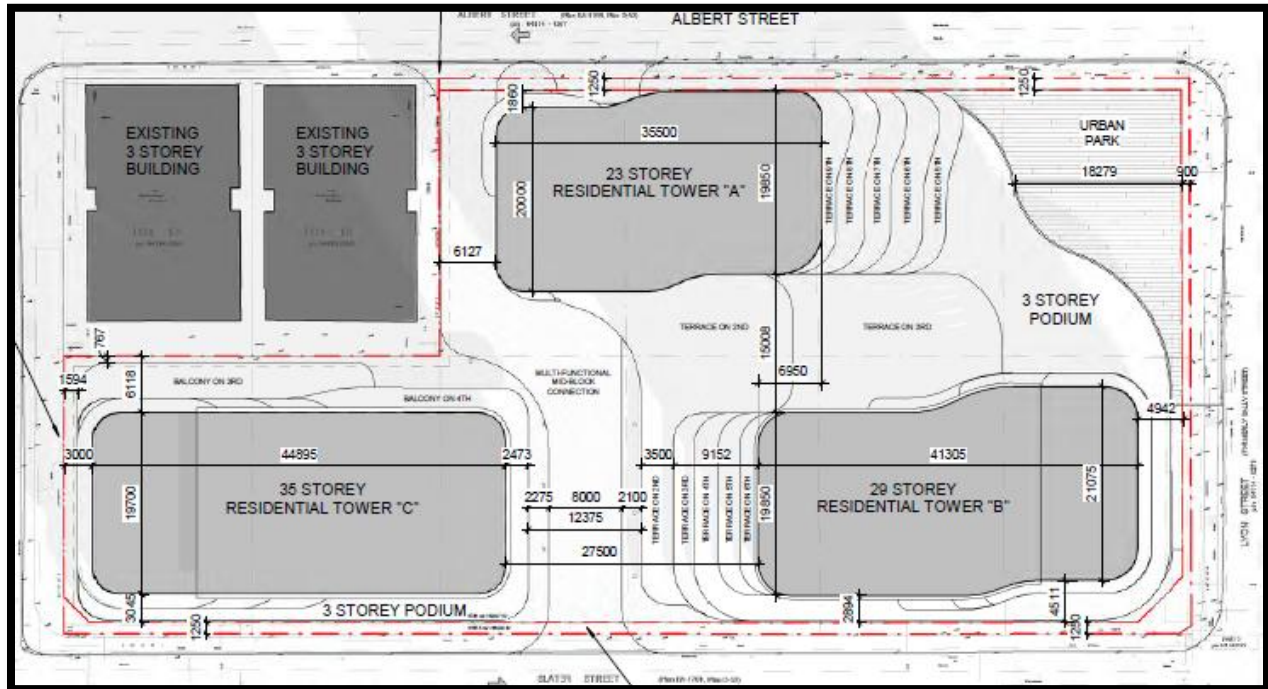
- r. Land uses legally existing prior to *the date of Council approval*, and Park, are not subject to the holding symbol.

Document 3 – Schedule 89



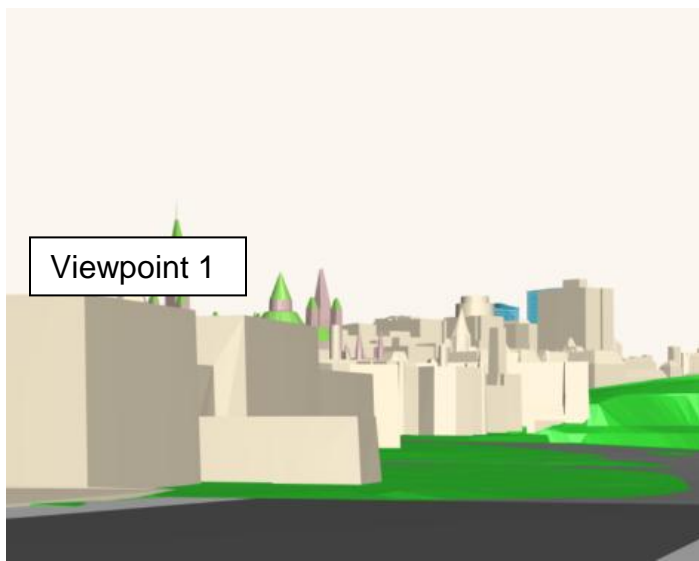
Document 4 – Development Concept and Viewplane Images

Site Plan Excerpt



Mid-Block Connection





Viewpoint 2



Document 5 – Consultation Details

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for Development Applications.

The applicant team and owner, in collaboration with Councillor McKenney and the Centretown Community Association, held a Community Information Session on November 7, 2019, that was done in an Open House format with display boards concerning land uses, public realm, landscaping, architecture and urban design. Each display board had the applicant Team Lead present to take notes and feedback. Staff attended the event and responded to questions on process.

During application review approximately 25 individuals/groups provided comments, with some siting support for building design, large retail unit and public spaces replacing the parking lot, while others expressed concerns about building height, traffic congestion, garage entrance and construction impacts.

Public Comments and Responses

The following summarizes, in no particular order, a list of comment topics and items raised by members of the public in response to the application:

Comments concerning the temporary surface parking lot (D02-02-18-0061)

Support

- Support the temporary surface parking lot. Parking is needed.
- Accepted temporarily provided no further extension is granted and the site is developed to include affordable housing.
- Parking lots in the downtown core are needed for trades workers and maintenance that can't have vehicles parking in underground structures.

Opposed

- Parking lot is a major eyesore. It is in the best interest of the continued growth of downtown that 400 Albert is developed into a large high-rise complex as soon as possible.
- Object to even temporary parking lots in the urban area because they tend to become « sticky » and in the case of 400 Albert Street where a building was

demolished, and they have been illegally using it as a revenue-generating parking lot ever since, more reason to object.

- No more parking lots, we need deter traffic from downtown, and develop the site with community amenities.
- The site needs to incorporate community greenspace on the property before anything is built or between phases. Use as a parking lot is inappropriate.

Response:

Staff recommend approval for the temporary parking for a period of up to two years. The development concept, also subject to this report, is expected to begin construction within that timeframe, and the interim use of land as a parking lot is acceptable, in this instance, and serves as a means of supporting the redevelopment of the site.

Comments concerning the development concept (D02-02-17-0053)

Support

- Very excited to see a mixed-use development proposed for this site and in close proximity to LRT Station.
- New development on this lot is supported.
- Overall, the proposal is very much in line with the kind of development we need in downtown Ottawa. I hope that the city will do whatever it can to ensure the final product matches the renderings provided at this time. If so, the project may prove spectacular and the best set of buildings in the neighbourhood.
(Incidentally, the reduction in height is not necessarily good news, and I would have no problem with higher towers on this lot.)
- The added bicycle parking is a good idea, and the urban park is appealing.

Response:

For reasons outlined in the staff report, approval is recommended, and staff agree that this development is an excellent use of the site and delivers quality architecture and public realm improvements.

Traffic and Parking

- Bay Street is already congested during peak hours and adding the garage entrance off Bay Street and an additional 400 plus vehicles will make the downtown core traffic and circulation even worse.
- More high-rise development will increase traffic problems.
- Concerned that the amount of parking provided for this development exceeds the need, especially with the site access to LRT and walkable area.
- Encourage parking strategy to align with the City's vision for public transit and support of active transportation.
- Underground parking access should be located on Slater Street or Albert Street to reduce the congestion on Bay Street and provide better traffic flow.

Response:

The Transportation Impact Assessment is accepted by staff and has demonstrated that the garage access of Bay Street is an appropriate location. It should be noted that the design was revised to further recess the entrance providing a greater degree of visibility for safe access and awareness of the pedestrian and cyclist movements. The residential parking rate is quite low at 0.35 spaces per unit, and the balance of the parking (84 spaces) will be used by a combination of visitor, and the mix of non-residential uses from the ground-floor retail units. The building is being designed as an active transit supportive development with ease of access to the Lyon O-Train Station and quality pedestrian and cycling infrastructure. The provision for some short-term parking (parking garage) is supported by the OP, especially within this location which experiences a variety of users, including tourists.

Bicycle Parking and Lanes

- This development must have secure and accessible bicycle parking.
- Bay Street is designed for a segregated bike-lane and the new garage access will create an unsafe condition for pedestrians and cyclists.

Response:

To date, the applicant has demonstrated the desire to provide secure and accessible bicycle parking and at a higher rate than the minimum required by zoning. These details

will be further reviewed and confirmed during the Site Plan review process when that application is submitted.

Height/Density

- Downtown already has an oversupply of condos and adding more decreases property values.
- The buildings are too tall and too close to one another for this location.
- More tall buildings and density is not needed in this location. Build community buildings.

Response:

The Official Plan supports intensification, and the Central Area is target area for mixed-use development and intensification. Further reasons for supporting the proposed height and density are outlined in the staff report.

Land Use

- Would really like to see the large retail unit realized as a grocery store or hardware store.
- Encouraging to see the ground level retail strategy for this development and hope to see good community servicing uses fill the spaces.
- The number of residential units from this development and others in the area are increasing significantly, and yet there is almost no greenspace available in this area. The “urban park” is not being designed as a people place resulting in a community amenity.
- The proposed urban “park” seems more a fancy entrance to their building than a park. Because the proponent plans for underground parking under this area, no trees of any substance will be able to be planted.
- The proponent should be paying section 37 money in addition to this proposed 400-square metre park.
- Would appreciate the park being as full of greenery as possible and have as little concrete as possible. The wood elements in the proposal are appealing, but I see

no need for a water feature in such a limited space. With enough shade and seating, people will flock there and provide their own animation.

Response:

While the ground-floor design was originally intended to attract a grocery store, this will likely not be the case within this development as a grocery store is being constructed within the development across the street at 383 Albert Street (Claridge Moon). However, the developer remains committed to providing quality retail and ensure uses that are beneficial to the local community.

Section 37 is not required for this development. Land for a City-owned urban park and Cash-in-Lieu of Parking is a requirement for this development. Only the location and size of the park are being determined through this application process. The final design will be led by the Parks & Facilities, Planning Services through a separate public consultation process.

Other

- Several concerns submitting about incorporating a bird-friendly design and potential bird strikes / kills.
- Concerned about the garbage placement, moving and loading bay activities next to adjacent building and units, with impacts on noise and smell.

Response:

The City of Ottawa is currently reviewing new [Bird Friendly Design Guidelines](#) and the applicant will be asked to consider bird friendly design considerations during the Site Plan process. The waste room is internalized and is required to include proposed venting to expel odours. All collection activity must be done in accordance with the Noise By-law.

Community Organization, Technical Agency Comments and Responses

Centretown Community Association

In response to the original application circulation, the Centretown Community Association provided comments, which are summarized as follows:

- The design of the proposed buildings for 400 Albert Street has much to recommend it. The undulations of the curvilinear podium and towers offer a unique and attractive

design. The mid-block connection, if aesthetically designed with attractive claddings and stepped-back terraces surrounding it has great potential. The developer and architect are to be commended.

- However, there are some concerns:
 - The entrance on Bay Street should be moved as this is narrow and busy road with bicycle lanes. Concern for safety and having traffic cross bike lane accessing a busy street.
 - Massive project with little green space. Public access should be provided to third-storey terrace levels, which should include more greenery and amenities.
 - The mid-block connection should be more pedestrian-friendly and include internal café or restaurant.
 - Most importantly, the buildings must not detract from the majesty of Parliament Hill. The tallest towers could forever change the visual relationship between Parliament and the City as a backdrop. The proposed towers at 33 and 38 storeys considerably exceed the height control plane. They increase the height of the backdrop behind Parliament Hill. They would set a precedent, opening the door to that height throughout the parliamentary district. We recommend the buildings meet the height control plane.

Response:

Staff appreciate the Centretown Communication Association's participation to date and look forward to continuing this dialogue through the Site Plan application. The Bay Street entrance was redesigned to further recess the garage door and improve the sightlines and stop areas to avoid conflict with the sidewalk and cycling lane. Through the Site Plan application, further details on the greenery strategy will evolve such as street trees and the landscaping strategy for the terrace levels. The Urban Park will be subject to an independent process including public consultation. Staff appreciate the underlying concerns with respect to view protection but have carefully assessed this site and opine that the site is uniquely situated, and the proposal has been designed to meet the intent of the important policy framework. This further detailed in the staff report.

National Capital Commission

The National Capital Commission (NCC) was actively involved in the review process and following several discussions and project revisions with the applicant and City staff, the following comments were provided.

- The NCC appreciates that the developer has considered the NCC's previous comments regarding the view protection policies expressed in the NCC's document, titled Canada's Capital Views Protection (2007).
- Since the original circulation in fall 2019, the developer has proposed two options that reduce the height of the tallest tower to either 34 storeys/118 metres (Option 1) or 31 storeys/109 metres (Option 2) relative to the height of the original proposal at 38 storeys/130 metres. In the newly-presented options, the heights of the two other towers are adjusted to 28 storeys/100 metres and 22 storeys/81 metres respectively.
- The views analysis submitted to illustrate the skyline effects of the new options, show that the proposed buildings would be largely obscured by existing buildings when viewed from the NCC's Control Point Number 1 on Sussex Drive. This unique condition mitigates the degree to which the proposed buildings contribute to overwhelming or overpowering the visual importance of the Parliament Buildings or the secondary National Symbols from this viewpoint. The NCC would not oppose the proposal if resubmitted, as shown in either Option 1 or 2.
- The NCC recognizes that other factors will be relevant to inform the City's ultimate decision on the file, including the decision on building height. While the NCC does not currently have other comments on the proposal, we would take the opportunity to review the anticipated resubmission/circulation.
- The NCC recognizes that there are other potential building sites across the Central Area that may require a similar analysis relative to the Capital Views Protection policies. We reserve the opportunity to review those proposals on their own merits. Our position on this particular application is not intended to create precedents.
- We appreciate the proponent's engagement with the NCC and receptiveness to our comments.
- Please keep the NCC informed of progress on the file, including the staff recommendations, and the decisions of Planning Committee and Council.

Response:

Staff appreciate the cooperative review process between both agencies and look forward to continuing working through the details as the proposal moves into the Site Plan Control process. The recommended zoning details, especially with respect to building height, are consistent with the view analysis and ensure that no part of the building or projections exceed the defined height limits.

Document 6 – Urban Design Review Panel

400 Albert Street | Formal Review | Zoning By-law Amendment to permit three residential towers between 18 and 38 storeys | IBI; Main and Main Developments Inc.; Stantec - Community Development

Summary

- The Panel finds this to be a compelling project that will have a positive impact on the urban landscape. The comprehensive study that informs the approach to massing on the site is exceptional, and the approach to visually uniting the buildings in dialogue, is appreciated.
- The Panel supports the architectural expression that contrasts with the existing downtown context. The cascading forms, eased edges, and terracing is compelling, but the Panel suggests some calming of the grid façade expression, and perhaps introducing a simplified design approach to Tower 'C' that is distinguishable from the grid patterns on the other towers.
- The Panel finds that the park location is logical and relates well to Lyon Station, and the sculpting of the podium does support its function. Overall, the Panel is generally supportive of the approach to the public realm. A linear park down Lyon Street is however worth considering as it would help to establish a wider boulevard along Lyon Street that relates well to the east and west memorial buildings to the north.
- The Panel highlights the importance of the midblock connection between Albert and Slater Streets and suggests one option is to consolidate this connection with the park. Alterations to the servicing of Tower 'A' and 'B' are suggested by the Panel to improve the functionality and appearance of this space as a public amenity.
- The Panel notes that the success of this project will depend on how it relates to uses on surrounding properties. The Panel does not support any increase to height beyond the permitted height as these limits are set to protect the views from and toward key national symbols.
- The emphasis on sustainability, particularly the reduction in thermal break, is appreciated by the Panel.

Massing and Tower Orientation

- The Panel suggests considering reorienting Tower 'B' in a north-south axis to align with other buildings along Lyon Street and create a sunny open space between Tower 'B' and 'C'. Tower 'B' is recommended to be the tallest.
- The Panel suggests that Tower 'A' should be redesigned to be a slab building with a larger footprint in order to improve the composition on the site. Study a 12-storey building in this location instead of the 18-storey tower.
 - Alternatively, consider squaring this building and orienting the units north/south to reduce the number of units facing the west property line. This would free up more space for the park at the corner of Albert and Lyon Streets.
- The Panel suggests that Tower 'C' be the lowest in order to better transition this complex toward the neighbourhood to the west.
- The Panel suggests tower floorplates should be between 750 and 800 square metres with about 10 units per floor.

Grade Level and Loading

- The Panel suggests considering retail uses at the midblock connection along Slater Street, instead of lobbies. There is an opportunity for this to be a sunny space that can provide a unique public realm experience not typically found downtown.
- The Panel suggests redesigning the loading docks at the midblock connection so that they are accessed at right angles, creating 'T' shapes from both Albert and Slater Streets. This will tuck away the trucks and improve the usability of this space for people. Ensuring loading doors are oriented east-west enhances views into the midblock connection from the street, by avoiding vistas terminating at loading doors.
- Other solutions that would allow for the removal of loading from the pedestrian midblock connection are:
 - Introduce below grade garbage bins for Tower C, like in Tower B;
 - Accommodate residential move-in with smaller vehicles rather than full size moving trucks;
 - Service the retail spaces from the street, or underground.

- The Panel recommends moving the Albert Street residential lobby to the corner in order to free up more space for a straight pedestrian cut-through at midblock.
- The Panel suggest improving the park so that it less resembles a forecourt. Add seating, trees and consult with the Parks planners at the City to determine specific needs.
- A suggestion from the Panel is to consider linking up the three lobbies to create a residential enclave in the midblock connection.
- With the reconfiguration of the site, the Panel recommends looking for an opportunity to introduce a diagonal pedestrian shortcut through the complex.
- Ensure the full integration of the streetscape elements, including lighting, street furniture and landscape features.

Architectural Expression

- Panel suggests that the midrise could benefit from a more subtle design expression that 'fades away' and adds porosity to the site. This could contrast nicely with the grid pattern found on the other towers.
- The Panel suggests twisting the towers in order to break the rational pattern proposed.
- The Panel suggests lightening up the top expression of the towers to improve the overall composition.
- The Panel recommends podium heights that relate well to the surrounding context, particularly to buildings of cultural heritage value.