

**7. Zoning By-law Amendment – 1980 Ogilvie Road**

**Modification au Règlement de zonage – 1980, chemin Ogilvie**

**Committee recommendation**

That Council approve an amendment to Zoning By-law 2008-250 for 1980 Ogilvie Road to be considered one lot for zoning purposes and that part of 1980 Ogilvie be permitted for the development of a 30-storey high-rise apartment, as detailed in Document 2.

**Recommandation du Comité**

Que le Conseil approuve une modification du *Règlement de zonage 2008-250* afin que le 1980, chemin Ogilvie soit considéré comme un seul lot à des fins de zonage et que l'aménagement d'un immeuble d'habitation de 30 étages soit autorisé sur une partie du 1980, chemin Ogilvie, comme le précise le document 2. .

**Documentation/Documentation**

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated August 14, 2020 (ACS2020-PIE-PS-0065)

Rapport du Directeur, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 14 août 2020 (ACS2020-PIE-PS-0065)

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 14 August 2020  
Soumis le 14 août 2020**

**Submitted by  
Soumis par:  
Douglas James  
Acting Director / Directeur par intérim  
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**Ward: BEACON HILL-CYRVILLE (11)**

**File Number: ACS2020-PIE-PS-0065**

**SUBJECT: Zoning By-law Amendment – 1980 Ogilvie Road**

**OBJET: Modification au Règlement de zonage – 1980, chemin Ogilvie**

## REPORT RECOMMENDATIONS

1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1980 Ogilvie Road to be considered one lot for zoning purposes and that part of 1980 Ogilvie be permitted for the development of a 30-storey high-rise apartment, 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 du *Règlement de zonage 2008-250* afin que le 1980, chemin Ogilvie soit considéré comme un seul lot à des fins de zonage et que l'aménagement d'un immeuble d'habitation de 30 étages soit autorisé sur une partie du 1980, chemin Ogilvie, comme le précise 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.

## 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

1980 Ogilvie Road

### Owner

First Capital (Ontario) Corporation

### Applicant

FoTenn Consultants Inc.

### Architect

Roderick Lahey Architect

### Description of site and surroundings

The property, known municipally as 1980 Ogilvie Road, is approximately 11 hectares in area and is known as Gloucester Centre Shopping Centre. This shopping centre currently contains several stand-alone buildings and one L-shaped central shopping mall building with numerous tenancies, as shown in Document 4. Most of the property is occupied by surface parking lots. The shopping centre has frontage on City Park Drive (two accesses), Blair Road (one signalized access), Ogilvie Road (three accesses) and the Transitway (bus access only). The site of the proposed 30-storey high-rise building, as shown in Document 3, is in the southern-most part of Gloucester Centre's property, where it abuts Blair Transit Station, OC Transpo transitway and Highway 174, and is approximately 11,206.2 square metres in size. The site is currently a parking lot and can be accessed via a private drive aisle.

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

The overall site is zoned mixed-use centre zone, urban exception [1333], maximum floor space index of 2.0, maximum building height of 48.0 metres (MC[1333] F(2.0)H(48)), as shown in Document 1. This zone permits a range of uses, including office, retail, gas bar, medium and high-density residential uses. The maximum floor

space index (FSI) and building height, limit the potential for higher density development that supports the transit network and the long-term plan as put forward in the Blair Station Transit Oriented Development (TOD) Plan. As such, the Zoning By-law amendment has been submitted to rezone a subject portion of the overall site, as shown in Document 1 as Area A, to “Transit Oriented Development Zone, Subzone 3, Exception XXXX (TD3[XXXX])”, in keeping with the intent of the Blair Station TOD Plan, while ensuring the overall lands continue to function as one site and are treated as one lot for zoning purposes.

## **DISCUSSION**

### **Public consultation**

Notice of this application was carried out in accordance with the City’s Public Notification and Consultation Policy.

For this proposal’s consultation details, see Document 7 of this report.

### **Official Plan designation**

The property is designated Mixed-Use Centre, pursuant to Schedule B of the Official Plan. Mixed-Use Centres are strategically located with respect to transit stations and are characterized by transit-supportive land uses, including high-density residential and compatible mixed-use development. Compact development with high density residential near offices and retail, and which provides opportunities for walking, cycling and transit, will be supported.

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

#### **Blair Transit Oriented Development (TOD) Plan**

On January 22, 2014 City Council approved a TOD Plan for the land surrounding Blair LRT station, which includes the property at 1980 Ogilvie Road. The Blair TOD Plan, implemented through the Blair Secondary Plan, identifies and recommends opportunities for intensification within the Blair Station area, including increasing cycling facilities, improving street networks, identifying transit-supportive land uses, and identifying appropriate areas for increased height and density.

From these recommendations, a TOD zone was implemented on many properties within the TOD Plan area, with the highest redevelopment potential near Blair Station. The TOD zoning includes a minimum density requirement, maximum parking rates and

minimum floor space indexes to support intensification that is consistent with the Blair TOD Plan and the policies for Mixed-Use Centres.

#### Transit-Oriented Development Guidelines

City Council approved the Transit-Oriented Development Guidelines in 2007 to provide guidance to assess, promote and achieve TOD within Ottawa. Components of development that the guidelines address include land use, site layout, built form, pedestrian and cycling connectivity, parking and streetscaping.

#### Urban Design Guidelines for High-Rise Buildings

The Urban Design Guidelines for High-Rise Buildings are a tool used during the review of development proposals to promote and achieve appropriate high-rise development. The guidelines provide review tools with respect to context, built-form, pedestrian-scapes, public realm, open space, amenity areas, and site circulation and parking.

#### Urban Design Review Panel

The property is within a Design Priority Area and the Zoning By-law amendment application was subject to the Urban Design Review Panel (UDRP) process. The applicant presented their 30-storey mixed-use high-rise proposal to the UDRP at a formal review meeting, which was open to the public. The proposal includes some commercial within the first two storeys, residential, and some public/private spaces, including a transit link, between the Light Rail Transit (LRT) station and the mall. The first six storeys are designed as a staggered podium. Above the podium it is a 24-storey point tower where tenancy-based residential uses are solely proposed. The proposed site plan and elevations denoting these elements are shown in Documents 3 and 5. This formal review meeting for the Zoning By-law amendment application was held on January 10, 2020. The Panel's recommendations from the formal review of the application are:

- Achieving a stronger pedestrian realm on the interior of the site, along its private drive aisles should be the highest priority of this proposal.
- Strengthening the building's contribution to the pedestrian realm by animating the first few floors of the building on the north façade.
- Paying special attention to the second floor of the project, the pedestrian connection through to the mall, and the pedestrian bridge.

- Highlighting the bridge and the second floor as a beacon with additional glazing.
- Exploring possibilities of reportioning the tower to have it read more as a point tower and less as a slab.

Planning staff will continue to work with the applicant on addressing the Panel's recommendations throughout the Site Plan Control process. The Site Plan Control application will also be subject to UDRP review.

### **Planning rationale**

The Zoning By-law amendment is consistent with the policies of the Mixed-Use Centres designation in the Official Plan and Blair TOD Plan. The Zoning By-law amendment will continue to promote compact, mixed-use development that contributes to the required densities around transit nodes, walkable communities, where high-density residential shall be near offices and retail. The rezoning supports the long-term plan for the entire site, which includes cycling and pedestrian linkages to Blair Station. The proposed development is in keeping with the policy direction of Official Plan Amendment 150, which supports high-density development through the redevelopment of older sites.

The proposed 30-storey mixed-use building will continue to meet the policies and height objectives, under the Blair Secondary Plan and Blair TOD Plan.

The Zoning By-law amendment request that the existing MC zone and the proposed TD3 zone at 1980 Ogilvie Road when combined, be considered one lot for zoning purposes is appropriate. In Section 93 of the Zoning By-law there are provisions regarding "One Lot for Zoning Purposes" which states that a group of occupancies in a range of mixed-use zones, including general mixed-use zone, local commercial zone, mixed-use downtown zone, and others, that are designed, developed, and managed as a unit, whether by a single owner or by a group of owners or tenants acting in collaboration, are considered as one lot for zoning purposes. Several of the zones in which the "One Lot for Zoning" provision is currently applicable are zones where a mix of uses and compact development are encouraged (e.g. mixed-use and mixed-use downtowns). The TD zone, being a newer zone, has not been added to this list, despite the TD zone having replaced the General Mixed-Use Zone on several properties, within proximity to TOD Stations in Ottawa. The proposed Zoning By-law amendment seeks to add a provision in the interim, that land shown as Areas A and B, be considered one lot for zoning purposes. This is appropriate as the site has and is intended to function as one site, in that a group of occupancies will be designed, developed and managed as a unit, whether by a single owner or by a group of owners or tenants, acting in

collaboration.

#### **Blair Transit Oriented Development Plan**

The proposed rezoning supports the Blair TOD Plan in that it will allow high-density residential to be built on the portion of the site that is not currently zoned to permit this use. Specifically, the Blair TOD Plan identifies this portion of the site to be zoned TD3, as proposed herein.

#### **Design Guidelines**

The detailed design review of the development that will be permitted by the proposed zoning is not yet finalized but will be reviewed with respect to both the Transit-Oriented Development Guidelines and Urban Design Guidelines for high-rise housing during the Site Plan Control process. This will include a review of building materials and providing public spaces and connections, among others.

#### **Provincial Policy Statement**

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

#### **RURAL IMPLICATIONS**

There are no rural implications with this report.

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

Councillor Tierney is aware of the application related to this report.

#### **LEGAL IMPLICATIONS**

There are no legal impediments to approving the recommendations contained in the report.

#### **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

#### **ASSET MANAGEMENT IMPLICATIONS**

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



## **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

## **ACCESSIBILITY IMPACTS**

Accessibility will be reviewed through the Site Plan Control and the building permit processes.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- ES1 – Support an environmentally sustainable Ottawa
- HD3 – Create new and affordable housing options
- TM3 – Integrate the rapid transit and transit priority network into the community

## **APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D02-02-19-0116) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity of issues associated with safe-guarding the City's assets and flow of public traffic from the bus station and LRT station, whether to focus on accommodating UDRPs recommendations during the Zoning By-law stage versus Site Plan Control stage, and the impact the original requested Zoning By-law amendments would have had upon rezoning should the applicant formally sever the site from the overall parcel.

## **SUPPORTING DOCUMENTATION**

- |            |                                      |
|------------|--------------------------------------|
| Document 1 | Location and Zoning Map              |
| Document 2 | Details of Recommended Zoning        |
| Document 3 | Site Plan for Mixed-Use Building     |
| Document 4 | Mixed-Use High-Rise Building Context |
| Document 5 | Proposed Elevations                  |
| Document 6 | Master Concept Plan in Draft Form    |

Document 7 Consultation Details

## **CONCLUSION**

Planning staff support the requested Zoning By-law amendment as the proposal continues to support the Official Plan policies for Mixed-Use Centres and Blair TOD Plan. The proposed Zoning By-law amendment represents good planning. As such, the Zoning By-law amendment is recommended for approval.

## **DISPOSITION**

Legislative Services, Office of the City Clerk, 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.

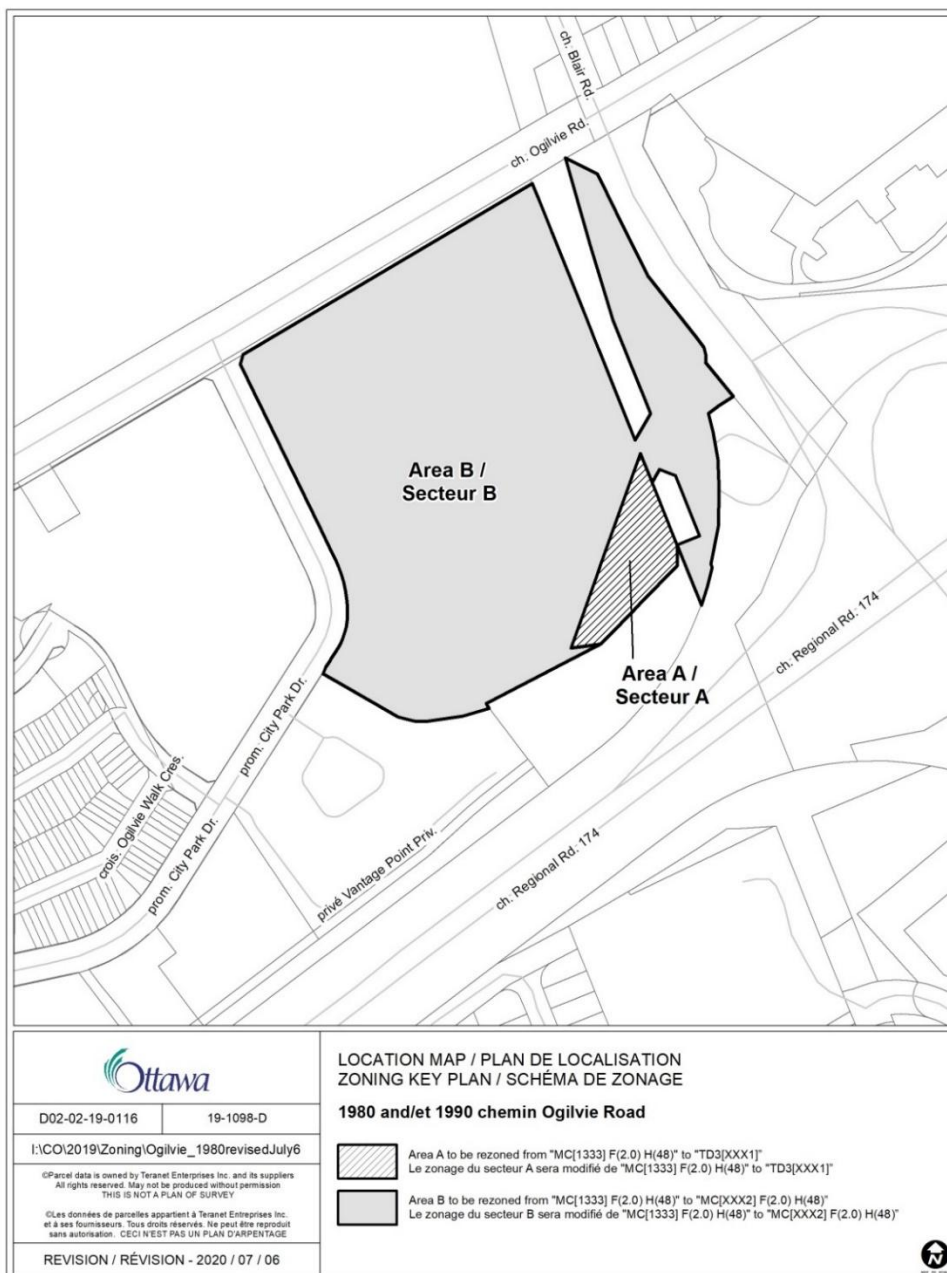
Legal Services, Innovative Client Services Department, to forward the implementing by-law to City Council.

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

## Document 1 – Location and Zoning Map

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

The site is located on the south side of Ogilvie Road, with City Park Drive to the west and Blair Road to the east. The site also abuts to the north of the transitway and Ottawa Road 174.



## **Document 2 – Details of Recommended Zoning**

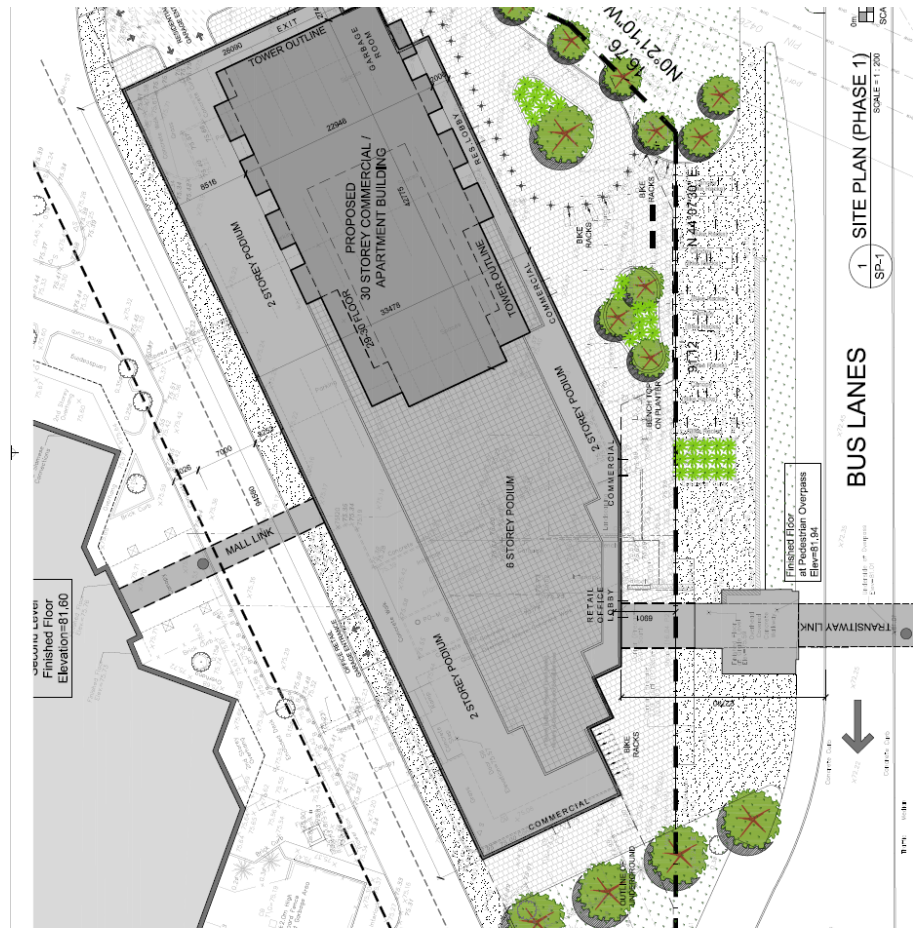
The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1980 Ogilvie Drive:

1. Rezone the lands shown in Document 1 as follows:
  - Rezone Area A from MC[1333] F(2.0) H(48) to TD3[XXX1]
  - Rezone Area B from MC[1333] F(2.0) H(48) to MC[XXX2] F(2.0) H(48)
2. Add a new exception, [XXX1], to Section 239, Urban Exceptions, with the provisions similar in effect to the following:
  - a. In Column II add the text TD3[XXX1]
  - b. In Column V add the following:
    - i. The lands zoned MC[XXX2] F(2.0) H(48) and TD3[XXX1] are one lot for zoning purposes;
    - ii. Maximum height for a mixed-use building is 95.0 metres;
    - iii. A mezzanine level is not considered a storey;
    - iv. The minimum setback for any property line abutting a rapid transit corridor or utility line for any part of the building above six storeys in height is 7.0 metres;
    - v. Stacked bicycle parking structures are permitted, and in the case of a stacked bicycle parking structure Sections 111 (8), Tables 111B and 111 (11) do not apply.
3. Add a new exception MC[XXX2] F(2.0) H(48) to Section 239, Urban Exceptions, and the additional provisions similar in effect to the following:
  - a. In Column II add the text MC[XXX2] F(2.0) H(48)
  - b. In Column III add the text:
    - car wash
    - drive-through facility
    - gas bar

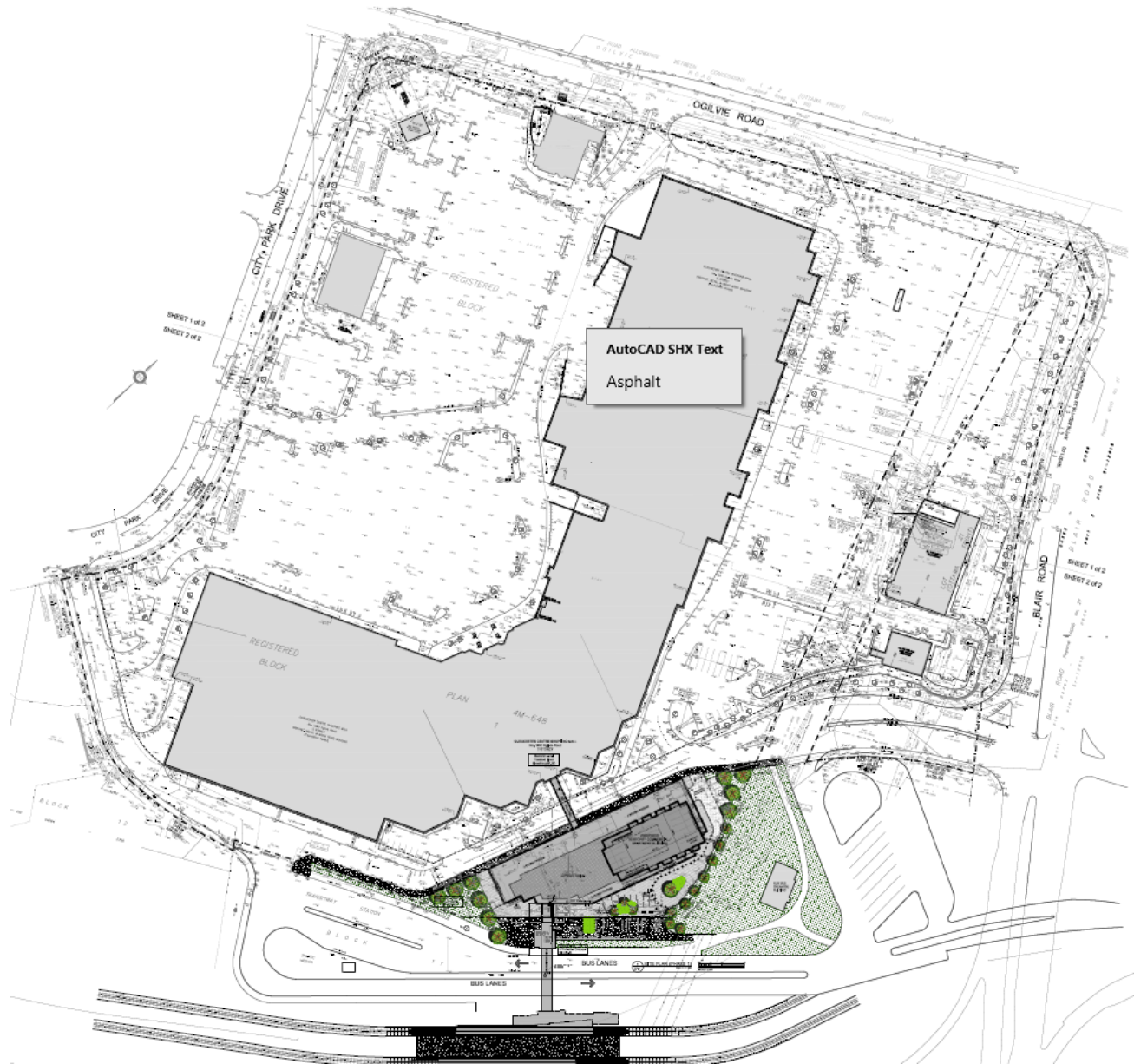
b. In Column V add the following:

- i. The lands zoned MC[XXX2] F(2.0) H(48) and TD3[XXX1] are one lot for zoning purposes

Document 3 – Site Plan for Mixed Use Building

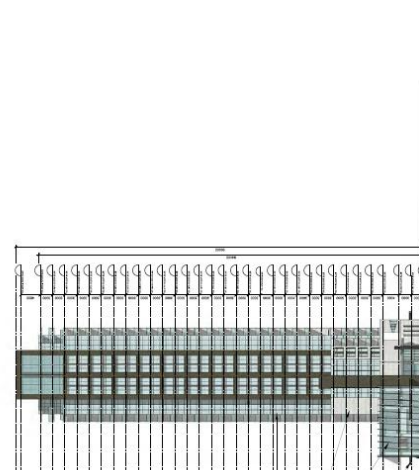
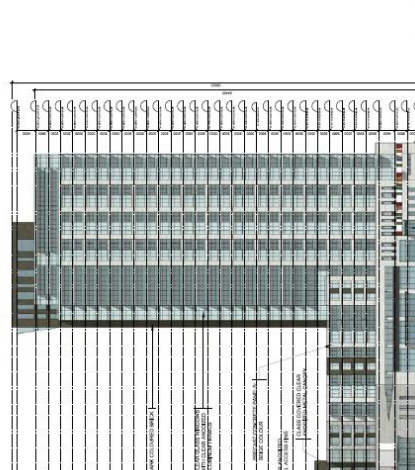
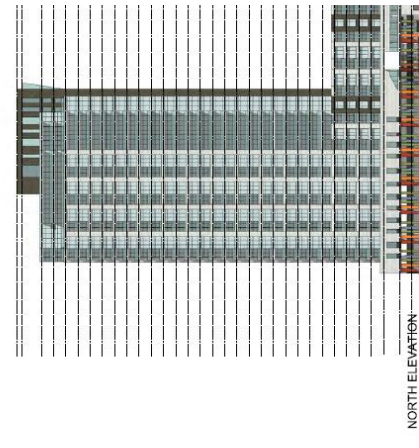
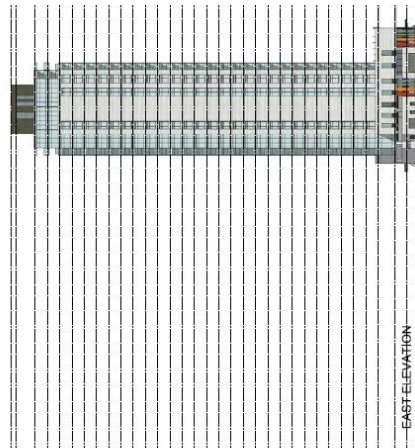


Document 4 – Mixed-Use High-Rise Building Context





Document 5 – Proposed Elevations





This hand-drawn site plan illustrates a proposed development layout. The plan includes a large blue 'RETAIL' building, a yellow 'PLAZA' area, and a green 'PARK' area. Numbered lots (1-10) are shown, along with parking lots and surrounding streets: BLAKE RD, COLUMBIA RD, and CITY PARK DR. A 'BLAKE CREEK' is shown on the right side.

## **Document 7 – Consultation Details**

### Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. A total of 10 submissions from residents were received during the comment period and are summarized below.

### Public Comments and Responses

#### 1. Traffic

- The 368 residential unit count and commercial spaces (i.e. 1,365.8 square metres of commercial retail space within the first two storeys of a six-storey podium) that are to be added via this 30-storey mixed-use building will exacerbate an existing traffic problem and increase traffic conflict points, already experienced within this site and the abutting public road system.
- Overall concerns with the existing traffic in the neighbourhood due to the CSIS and CSEC buildings, including on-street parking and overall congestion.
- The need for more parking spaces than the Zoning By-law maximum permits within TOD areas.

Response: The proposed development will have to meet the parking requirements as detailed within the Zoning By-law. Site circulation, conflict points, and access/egress will be further reviewed and refined, as necessary, through the Site Plan Control process.

#### 2. Density

- Concerned about the proposed high-rise towers and the number of towers and feel that it is a drastic change and out of scope with the “low-ish” density of the existing neighbourhood.
- Concerned that high-density housing in the neighbourhood will mean more crime.

Response: Planning staff support the proposed rezoning to permit high-rise residential development as it supports the Official Plan policies and the policies for the Blair Station Transit Oriented Development Plan.

**3. Height**

- Concerned that the building is too tall and out of scale with the area.

Response: The proposed height supports the compact form and density as permitted within the Official Plan policies and the policies for the Blair Station TOD Plan.

**Community Organization Comments and Responses**

Pineview Community Association provided support for the proposal. Below is a summary of the concerns and comments they wish the applicant to consider.

1. Continued connectivity to pedestrian overpass, paths at-grade and to the 2<sup>nd</sup> storey link during construction of this mixed-use building.

Response: The City is in talks with the applicant to ensure there is uninterrupted service and access to the pedestrian overpass, at-grade paths on the site and to the proposed second storey link during the construction and post-construction. The details will be refined further through the Site Plan Control process.

2. Difficult to tell if a grade separation between the bus platform and proposed parking lot will be maintained, or if the new structure will abut the bus platform directly. If it abuts directly at the same grade as the bus platform, will this proposal offer some commercial space?

Response: Design details, including the grade at which the platform for this proposal will be shall be shaped through the Site Plan Control process. This question will be answered when the Site Plan Control process is underway.

3. Will the applicant offer retail at the bus platform level or enhancements to their portion of the bus platform?

Response: Based on preliminary discussions with the applicant, it is not the applicant's intent to provide retail at the bus platform level or any further enhancements to the existing bus platform. Design details, including the grade at which the bus platform is and its integration into this proposed development's grades shall be forged through the Site Plan Control process. This question will be answered when the Site Plan Control process is underway.

4. Will the applicant enhance the access to the bus platform from the green space & current bicycle parking?

Response: This question will be answered when the Site Plan Control process is underway.

5. Additional with the loss of some the most accessible parking to the shopping mall and current taxi stands, and the interior parking of the new build to be dedicated to tenants and resident does the property owner plan to re-align any of the access to the mall or designate a new accessible section of parking, and re-locate the taxi stands to a place still accessible to shoppers and transit riders?

Response: This question will be answered when the Site Plan Control process is underway.

6. Will the residential component include any affordable housing or inclusive housing components?

Response: Staff understand that the proposed residential units will be set at market-value. At this time, there is no specific policy direction or zoning tool for the City to require affordable housing for this proposal.