

<p>2. Zoning By-Law Amendment – 73-77 Guigues Avenue</p> <p>Modification du <i>Règlement de zonage</i> – 73-77, avenue Guigues</p>
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Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 73-77 Guigues Avenue to permit a seven-unit, three-storey townhouse development, as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve la modification du Règlement de zonage (2008-250) pour les 73-77, avenue Guigues afin de permettre l'aménagement d'un ensemble d'habitations en rangée de trois étages et sept unités, comme l'indique le document 2.

Documentation/Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated October 7, 2019 (ACS2019-PIE-PS-0105)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 7 octobre 2019 (ACS2019-PIE-PS-0105)
2. Extract of draft Minutes, Planning Committee, October 24, 2019

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 24 octobre 2019

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
24 October 2019 / 24 octobre 2019**

**and Council
et au Conseil
6 November 2019 / 6 novembre 2019**

**Submitted on 7 October 2019
Soumis le 7 octobre 2019**

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

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

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Ward: RIDEAU-VANIER (12)

File Number: ACS2019-PIE-PS-0105

SUBJECT: Zoning By-law Amendment – 73-77 Guigues Avenue

OBJET: Modification du *Règlement de zonage* – 73-77, avenue Guigues

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 73-77 Guigues Avenue to permit a seven-unit, three-storey townhouse development, 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 November 6, 2019," 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 la modification du Règlement de zonage (2008-250) pour les 73-77, avenue Guigues afin de permettre l'aménagement d'un ensemble d'habitations en rangée de trois étages et sept unités, comme l'indique 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 soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et 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 6 novembre 2019, 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

73-77 Guigues Avenue

Owner

11258770 Canada Inc.

Applicant

Novatech

Architect

Hamel Design and Planning

Description of site and surroundings

The property is situated on the northeast corner of Parent Avenue and Guigues Avenue, in the Lowertown West neighbourhood. The site has 41.6 metres of frontage on Parent Avenue and 12.7 metres of frontage on Guigues Avenue. The site is currently occupied by a three-unit townhouse dwelling and a detached garage, with the remainder of the site paved in asphalt. Abutting properties to the north, east, and to the south, across Guigues Avenue, consist of a mix of low-rise residential uses. To the west, across Parent Avenue, are low-rise residential uses, federal government offices and the Notre-Dame Cathedral Basilica. Other nearby uses include the Élisabeth Bruyère Hospital found one block to the north and the commercial Byward Market area approximately 100 metres to the south.

Summary of requested Zoning By-law amendment proposal

The parcel is currently zoned R4S "Residential Fourth Density Zone, Subzone S" in the City of Ottawa Zoning By-law 2008-250, a zone that permits townhouses.

The applicant proposes to a minor Zoning By-law amendment to add site-specific performance standards to permit a seven-unit townhouse building on this property. Zoning relief is required for lot area, lot width, building setbacks, location of entranceways, distance of permitted projections to lot lines, height of permitted projections and heritage overlay provisions.

The applicant proposes to reduce the minimum required lot area from 165 square metres to lot areas ranging from 60-124 square metres, to reduce the minimum required lot width for a townhouse unit from 5.6 metres to 4.7 metres. The applicant also seeks to reduce the corner side yard setback from 3 metres to 0.6 metres, to reduce the front

yard setback from 3 metres to 1.9 metres, and to provide a rear yard setback of 2 metres and interior side yard setback of 1.2 metres. Additionally, the applicant requests to allow the primary entranceways of units 1-6 to face the side yard rather than the front yard.

Further, the applicant seeks to reduce the distance of permitted projections to lot lines and the height of permitted projections. Specifically, they request a rooftop access to be setback 0.0 metres from the exterior wall of the building, to permit a parapet to be 0.6 metres in height, to permit porches, steps and canopies to be setback 0.0 metres a property line, and to permit covered balconies to be setback to 0.5 metres a property line.

Finally, relief is required from the heritage overlay provisions in the Zoning By-law that require replacement buildings to replicate the massing and character of demolished heritage buildings. The proposed townhouse units are not proposed to replicate the massing and character of the existing heritage building.

DISCUSSION

Public consultation

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

Official Plan designations

The property is designated General Urban Area in Schedule B of the Official Plan. This designation permits a range of housing types to meet the needs of all ages, incomes and life circumstances. The City supports infill development and intensification in areas designated General Urban Area where a proposed development enhances and builds upon established desirable characteristics within a community.

Other applicable policies and guidelines

The property is situated within the boundaries of the Lowertown West Heritage Conservation District, designated under Part V of the *Ontario Heritage Act*. In addition to applications required under the *Planning Act* for this development, the applicant must also receive approval under the *Ontario Heritage Act*. The applicant has submitted a heritage application for this development.

Development proposals for low-rise development are also evaluated using the Urban Design Guidelines for Low-rise Infill Housing. These guidelines encourage infill development to be in a compact urban form that consumes less land and natural resources. The Guidelines also recommend that infill development have inviting entrance features and at-grade living areas facing the street.

Planning rationale

The proposed development is consistent with the land use policies in the General Urban Area and intensification policies provided in the Official Plan. The Official Plan supports small-scale residential intensification in areas designated General Urban Area where the development enhances and builds upon desirable characteristics of the established residential community. The proposed residential units are grade-oriented, with windows features that face the street. The proposed townhouses will contribute to the balance of housing types and tenures to provide a full ranging of housing for a variety of demographic profiles.

The parcel is currently zoned R4S "Residential Fourth Density Zone, Subzone S" in the City of Ottawa Zoning By-law 2008-250, a zone that permits a mix of low-density residential buildings, ranging from detached, semi-detached, townhouse and triplex dwellings to low-rise apartment buildings. This area of Lowertown is currently characterised by a mix of housing types on lots of varying sizes. The proposed reduced lot areas, lot widths are in keeping with the varied lot sizes and lot widths in this centrally-located, urban neighbourhood. There are several examples of townhouses on similar sized lots within this community.

The proposed reduced building setbacks are compatible with the prevailing patterns of building setbacks found throughout the neighbourhood. Most existing residential buildings of adjacent lots have little to no setbacks from front or corner property lines. The proposed reduced setbacks of the porches, stairs and canopies projections to corner side and front lot lines are also in keeping with the pattern and location of porches, stairs and canopies found in the neighbourhood.

The rear and side yards of immediately adjacent properties are comprised of hard surfaces that do not appear to be used as private amenity areas. As such, the proposed reduced interior and rear yard setbacks, balcony setbacks, parapet height and rooftop patio access location, are not anticipated to result in any undesirable impacts to the use and enjoyment of adjacent properties.

The Zoning By-law requires principal entranceways to face the front yard, and the proposed entranceways for units 1-6 are to face the interior side yard. Although the entranceways of units 1-6 will face a street, the door will not. The design of the porches and two-pane windows at each entrance emphasize the location of principal entranceways and staff are satisfied with this design approach.

Finally, staff support the relief requested from heritage overlay provisions. The existing building on site has limited heritage value. Heritage staff have reviewed the proposed development and have determined it to be compatible with the Lowertown West Heritage Conservation District.

Provincial Policy Statement

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

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Fleury provided the following comments:

“I am supportive of this project except for two points of contention.

1. There is anomaly in this project. It needs to be stated clearly that there should not be a projection in the Heritage Conservation District (HCD). A HCD zone is meant to protect heritage character. This is not respected in this case.
2. Since there is no proposal for a garage at 73-77 Guigues the location of the waste bins needs to be properly designed so that garbage does not end up being a bylaw issue.”

LEGAL IMPLICATIONS

In the event that the recommendations in this report are adopted and the matter appealed to the Local Planning Appeal Tribunal, it is estimated that a two to three-day hearing would be required. It is anticipated that such hearing could be conducted within staff resources. If the application for a rezoning is refused, reasons must be provided. In the event of an appeal of the refusal, it would be necessary to retain an outside 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 approval of the Zoning By-law amendment. In the event the Zoning By-law amendment 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

Design considerations with respect to accessibility are not a key consideration of this rezoning application. If the application is approved, accessibility impacts will be assessed in greater detail through the building permit process.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Economic Prosperity
- Healthy and Caring Communities

APPLICATION PROCESS TIMELINE STATUS

The application was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity of the project.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Site Plan

Document 4 Elevations

Document 5 Consultation Details

CONCLUSION

In considering the applicable Official Plan policies, the proposed building design and compatibility with the local context, 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, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

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

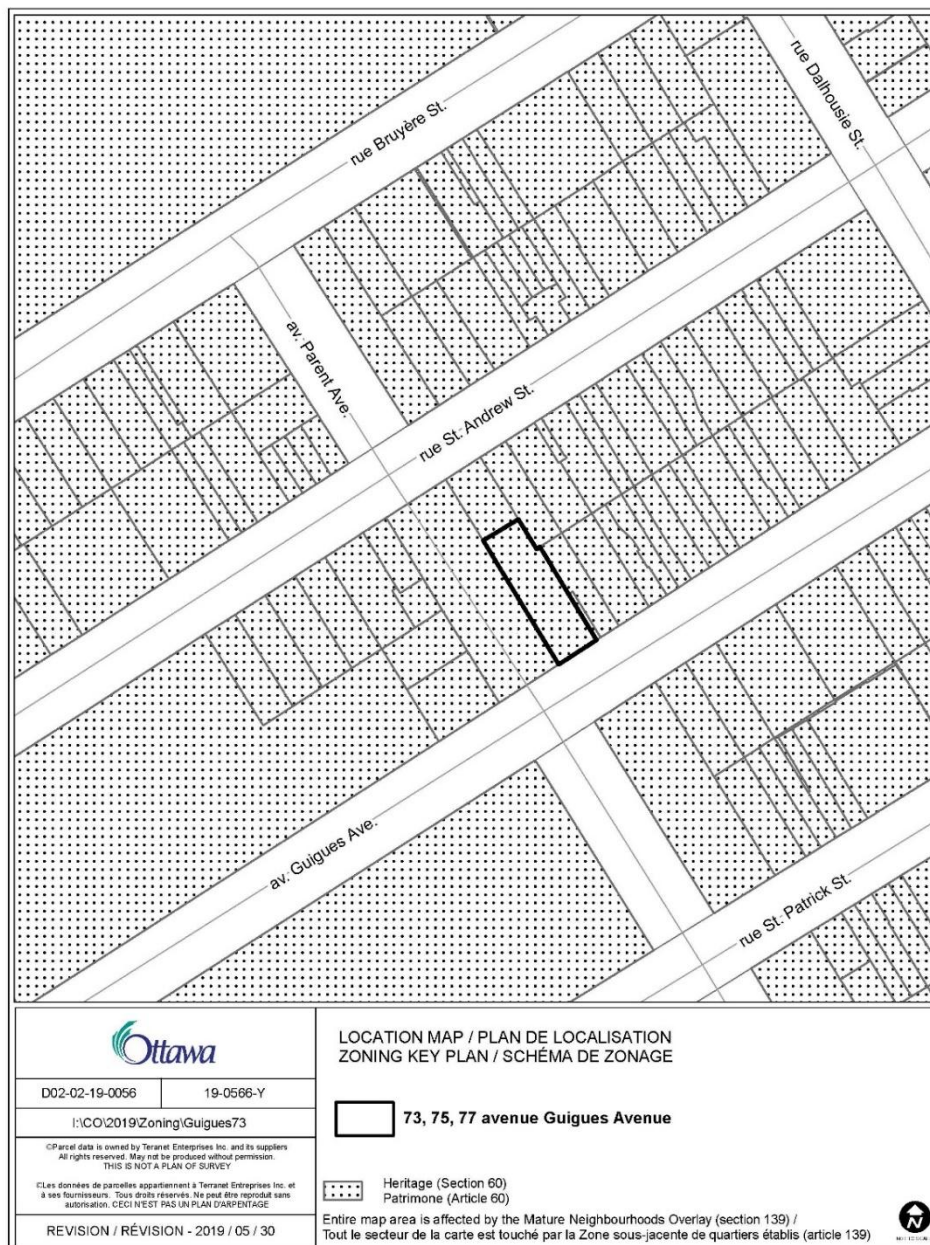
Legal Services, Innovative Client Services Department to forward the implementing by-law to City Council.

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

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa.

The property is situated on the northeast corner of Guigues Avenue and Parent Avenue, in the Lowertown West neighbourhood.



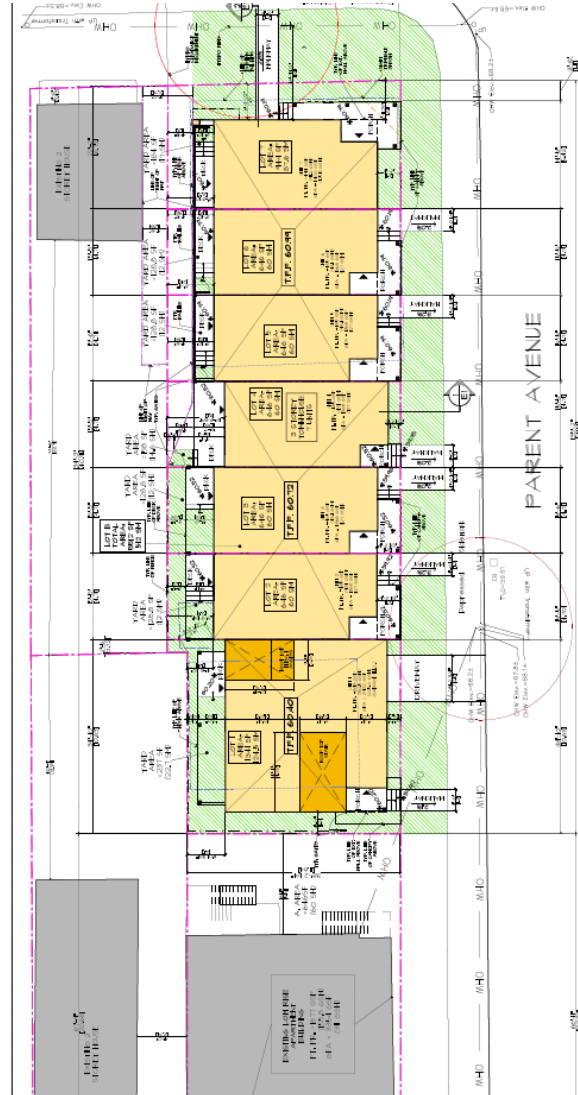
Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 73, 75 and 77 Guigues Avenue:

1. Remove the Heritage Overlay from the lands shown in Document 1
2. Rezone the lands shown in Document 1 from R4S to R4S[XXXX]
3. Add a new exception R4S [XXXX] to Section 239 – Urban Exceptions with provisions similar in effect to the following.
 - a. In Column II, add the text “R4S[XXXX]”
 - b. In Column V, add the following provisions:
 - i. The following provisions apply to a building containing townhouse dwellings:
 - For the purposes of the application of Section 161(10)
 - Minimum lot width is 4.7 metres
 - Minimum lot area is 60 metres
 - For the purposes of the application of setbacks and yards, the lands zoned with exception [XXXX] are considered one lot for zoning purposes.
 - The following provisions apply to townhouse dwellings:
 - Minimum front yard setback is 1.7 metres
 - Minimum corner side yard setback is 0.6 metres
 - Minimum rear yard setback is 1.2 metres
 - Minimum interior side yard setback is 1.6 metres
 - Section 161 (12) does not apply
 - The principal entranceways are not required to face a front or corner side lot line.
 - A balcony may be located 0.5 metres from an interior lot line.

- Porches, steps and canopy projections are permitted to project to 0 metres from a lot line.
- A parapet is permitted to project 0.9 metres above the maximum building height
- A rooftop access is permitted to be setback 0 metres from the exterior wall of a building, and is permitted to have a maximum area of 11.2 metres and maximum height of 3.7 metres.

Document 3 – Site Plan



Zoning By-law 2004-2015 - Residential Front Yard, Section 3			
2307 Sturgeon Avenue - Proposed Front Yard, Section 3			
Proposed Building	Proposed Building	Proposed Building	Proposed Building
1. 10.0m	1. 10.0m	1. 10.0m	1. 10.0m
2. 15.0m	2. 15.0m	2. 15.0m	2. 15.0m
3. 20.0m	3. 20.0m	3. 20.0m	3. 20.0m
4. 25.0m	4. 25.0m	4. 25.0m	4. 25.0m
5. 30.0m	5. 30.0m	5. 30.0m	5. 30.0m
6. 35.0m	6. 35.0m	6. 35.0m	6. 35.0m
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100. 505.0m	100. 505.0m	100. 505.0m	100. 505.0m



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Document 4 – Elevations



Document 5 – 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. Planning staff received ten public comments regarding the application. The comments are grouped according to theme below:

Public Comments and Responses

Comment: Density

- The increase from three to seven units, with reduced setbacks, will have adverse impacts on neighbouring properties.

Response

This area of Lowertown is currently characterised by a mix of housing types on lots of varying sizes. The proposed reduced lot areas and lot width are in keeping with the varied lot sizes and lot widths in this centrally-located, urban neighbourhood. The rear and side yards of immediately adjacent properties are comprised of hard surfaces that do not appear to be used as private amenity area. As such, the proposed reduced interior and rear yard setbacks, balcony setbacks, parapet height and rooftop patio access location, are not anticipated to result in any undesirable impacts to the use and enjoyment of adjacent properties.

Comment: Tenancy

- Due to no parking being provided for the seven townhomes, the units are unlikely to attract families. It is more likely that short term rentals such as Airbnb will occupy the units.
- The City needs stricter By-laws to regulate short term rentals, such as Airbnb, that do not have an owner on site. These types of rentals have proliferated in the area and have negative impacts on residents.

Response:

The Zoning By-law does not require parking for a residential building of 12 units or less in this location. The proposed development will contribute to the mix of housing options

available in the General Urban Area.

Comment: Parking/Transportation

- Increasing from four to seven units while providing no parking will put additional pressure for parking on an area that is already strained.

Response:

The Zoning By-law does not require parking for a residential building of 12 units or less in this location, where alternate modes of transportation are widely available.

Comment: Urban Design and Built Form

- We support this project, it is an exciting start to revitalizing Lowertown.
- The three-storey, seven-unit massing is a welcome addition to the neighbourhood. It is desirable to have units front onto both Guigues Avenue and Parent Avenue.
- Parent Avenue is very busy with pedestrians. It is concerning that this project seeks permission for projections into the one metre setback for porches, stairs, and balconies.
- The scale of the development fits well with other infill developments in the area.
- Bringing the townhomes and porches close to the street line contributes to the orderly streetscape character.
- The style of architecture is appropriate for the neighbourhood as it does not seek to replicate historic buildings or jarringly contrast with the historic buildings.
- Wrapping the development around the corner of Parent Ave and Guigues Ave is nice.
- The development will hover directly over the neighbouring houses due to the enlarged building footprint that is permitted by reduced setbacks.
- The increase in height and building mass will reduce or entirely block sunlight from neighbouring properties.

- The property has been in disrepair for some time and the redevelopment is welcome news. Thoughtful design will enhance the neighbourhood.

Response:

Staff have reviewed the proposed development and are of the opinion that it will be compatible with prevailing pattern of residential development in this neighbourhood. As rear and side yards of immediately adjacent properties are comprised of hard surfaces that do not appear to be used as private amenity area, staff are of the view that the proposed townhouse building is not anticipated to result in any undesirable impacts to the use and enjoyment of adjacent properties.

Comment: Heritage

- The site is near several heritage resources, applying for relief from the heritage provisions of the By-law is inappropriate. The redevelopment should replicate the massing of the demolished building.
- The applicant's cultural heritage impact assessment made no mention of 204-210 St Patrick Street, known as Brousseau Terrace. This is a designated property under Part IV of the Ontario Heritage Act.
- Approving this application will set a precedent for redevelopment that will erode the heritage attributes of the Lowertown Heritage District.
- Rather than being permitted to demolish the building, the applicant should be required to restore the existing structure.
- Look at Barrett Lane, which was built in the early 2000s, as a precedent for infill. The original 1908 residence was incorporated into the development and it won an Award of Excellence from the City.

Response:

The existing building on site has limited heritage value. Heritage staff have reviewed the proposed development and have determined it to be compatible with the Lowertown West Heritage Conservation District.

Comment: Noise

- The addition of porches, balconies, and outdoor amenity spaces to the building

will result in noise emanating in three directions.

- The majority of the street could become an unlicensed hotel resulting in more nighttime noise.

Response:

Noise is regulated by City of Ottawa By-laws.

Community Organization Comments and Responses

In addition to the public comments, Lowertown Community Association submitted a letter regarding the application. The Association generally supports the development but has some concerns regarding the lack of basements reducing the livability of the units. Initial concerns about the cladding were resolved by a redesign. Lowertown Community Association would like to see materials from the original building be recycled and that a historic interpretation such as a plaque be installed at the site.