

9. OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT – 180 METCALFE STREET

MODIFICATIONS AU PLAN OFFICIEL ET AU RÈGLEMENT DE ZONAGE – 180, RUE METCALFE

COMMITTEE RECOMMENDATION

That Council:

1. Approve an amendment to the new Centretown Secondary Plan for 180 Metcalfe Street to allow a hotel use above the second floor; and
2. Approve an amendment to Zoning By-law 2008-250 to change the zoning of 180 Metcalfe Street to allow a 27-storey mixed-use building, which incorporates the existing heritage building on the property.

RECOMMANDATION DU COMITÉ

Que le Conseil :

1. approuve une modification au nouveau Plan secondaire du centre-ville visant le 180, rue Metcalfe, afin de permettre une utilisation d'hôtel au-dessus du deuxième étage;
2. approuve une modification au Règlement de zonage 2008-250 en vue d'attribuer au 180, rue Metcalfe un zonage permettant la présence d'un immeuble polyvalent de 27 étages intégré à l'édifice historique situé sur la propriété.

DOCUMENTATION / DOCUMENTATION

1. Acting Deputy City Manager's Report, Planning and Infrastructure, dated 11 June 2015 (ACS2015-PAI-PGM-0104).

Rapport du Directeur municipal adjoint par intérim, Urbanisme et infrastructure, daté le 11 juin 2015 (ACS2015-PAI-PGM-0104).

2. Extract of Draft Minute, Planning Committee, 23 June 2015.

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 23 juin 2015.

**Report to
Rapport au:**

**Planning Committee / Comité de l'urbanisme
June 23, 2015 / 23 juin 2015**

**and Council / et au Conseil
July 8, 2015 / 8 juillet 2015**

**Submitted on June 11, 2015
Soumis le 11 juin 2015**

**Submitted by
Soumis par:**

John L. Moser,

**Acting Deputy City Manager / Directeur municipal adjoint par intérim,
Planning and Infrastructure / Urbanisme et Infrastructure**

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Ward: SOMERSET (14)

File Number: ACS2015-PAI-PGM-0104

SUBJECT: Official Plan and Zoning By-law Amendment – 180 Metcalfe Street

**OBJET: Modifications au Plan Officiel et au Règlement de zonage – 180, rue
Metcalfe**

REPORT RECOMMENDATIONS

That Planning Committee recommends Council:

- 1. Approve an amendment to the new Centretown Secondary Plan for 180 Metcalfe Street to allow a hotel use above the second floor; and**
- 2. Approve an amendment to Zoning By-law 2008-250 to change the zoning of 180 Metcalfe Street to allow a 27-storey mixed-use building, which incorporates the existing heritage building on the property.**

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil :

- 1. d'approuver une modification au nouveau Plan secondaire du centre-ville visant le 180, rue Metcalfe, afin de permettre une utilisation d'hôtel au-dessus du deuxième étage;**
- 2. d'approuver une modification au Règlement de zonage 2008-250 en vue d'attribuer au 180, rue Metcalfe un zonage permettant la présence d'un immeuble polyvalent de 27 étages intégré à l'édifice historique situé sur la propriété.**

EXECUTIVE SUMMARY

Assumptions and Analysis

The property is located at the southwest corner of the intersection of Metcalfe and Nepean Streets. The property is approximately 1,824 square metres in size and is currently occupied by a six-storey commercial/residential building and a surface parking lot. The current zoning is residential (R5B) zone with a height limit of 37 metres and an exception that permits a number of commercial uses, including office and medical facility up to the height limit.

The applicant is requesting an amendment to the zoning, to allow a new 21-storey tower that would sit atop the six-storey podium that utilizes the majority of the existing Medical Arts Building, to create a new 27-storey mixed-use building (83 metres in height). The applicant is requesting amendments to performance standards and existing permitted

commercial uses, which includes relinquishing their right to have office and medical office uses in the first 37 metres of height of a building on the property (approximately 12 storeys), in favour of a hotel being permitted in the first six storeys of a building on the property. This specific request requires an amendment to the new Centretown Secondary Plan as, under that plan, commercial uses are only permitted on the first two floors of a building.

The Department can support the requested rezoning as it satisfies the intensification policies in the City's Official Plan and with the exception of the above, the policies in the Centretown Secondary Plan. The Department can support the proposed amendment to the secondary plan as approval will remove two uses that have the potential to cause greater disruption to the surrounding community. The permission of a hotel use will result in a quasi residential use that is viewed as being more compatible with the community and a development that is more in keeping with the policies of the Centretown Secondary Plan, as commercial uses would only be allowed in the first six storeys of the building proposed on the property instead of 12 storeys.

Public Consultation and Input

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. Eleven comments were received as a result of the notification process, nine wanted more information on the proposal while two had concerns. They related to light/shadowing, privacy, density/livability in the downtown, noise and safety.

RÉSUMÉ

Hypothèses et analyse

La propriété se trouve à l'angle sud-ouest du carrefour des rues Metcalfe et Nepean. Couvrant une superficie d'environ 1 824 m², elle est occupée par un édifice commercial et résidentiel de six étages et un parc de stationnement de surface. Le zonage actuel de la propriété est Zone résidentielle (R5B) assortie d'une limite de hauteur de 37 mètres et d'une exception autorisant un certain nombre d'utilisations commerciales, comme un bureau et une clinique, jusqu'à la limite de hauteur autorisée.

Le requérant demande une modification de zonage afin de permettre la construction d'une tour de 21 étages au sommet du socle de six étages, qui constitue la plus grande

partie de l'édifice Medical Arts, et ainsi créer un nouvel immeuble polyvalent de 27 étages (hauteur de 83 mètres). Le requérant demande également des modifications aux normes de rendement et aux utilisations commerciales actuellement autorisées, notamment l'abandon du droit d'aménager des utilisations de bureau et de clinique dans les 37 premiers mètres de la hauteur d'un bâtiment sur cette propriété (environ 12 étages), en faveur de l'autorisation d'aménager un hôtel sur les six premiers étages du bâtiment sur la propriété. Cette demande particulière nécessite une modification au nouveau Plan secondaire du Centre-ville puisqu'en vertu de ce plan, les utilisations commerciales ne sont permises qu'aux deux premiers étages d'un bâtiment.

Le Service peut accéder à la demande de modification de zonage puisqu'elle satisfait aux politiques de densification figurant dans le Plan officiel et, à l'exception des points susmentionnés, à celles du Plan secondaire du centre-ville. Le Service peut également appuyer la modification proposée au Plan secondaire car son approbation permettra de supprimer deux utilisations susceptibles de perturber davantage le secteur environnant. L'aménagement d'un hôtel, s'il est autorisé, sera apparenté à une utilisation résidentielle, considérée plus compatible avec le secteur et plus conforme aux politiques du Plan secondaire du centre-ville, puisque les utilisations commerciales ne seraient autorisées qu'aux six premiers étages de l'immeuble proposé sur cette propriété, plutôt qu'aux 12 premiers étages.

Consultation publique / commentaires

Un avis public a été émis et une consultation publique a eu lieu conformément à la politique concernant les avis et les consultations publics approuvée par le Conseil municipal pour les modifications au Règlement de zonage. Onze personnes ont fait part de leurs commentaires dans le cadre de ce processus, neuf d'entre elles souhaitant un complément d'information sur la proposition et deux manifestant des préoccupations entourant l'ensoleillement et l'ombre, l'intimité, la densité et l'habitabilité au centre-ville, le bruit et la sécurité.

BACKGROUND

Learn more about [Zoning By-law amendments](#)

For all the supporting documents related to this application visit the [Development Application Search Tool](#).

Site location

180 Metcalfe Street.

Owner

Toth Equity

Applicant

FoTenn Consultants Inc. (Brian Casagrande)

Architect

Roderick Lahey Architects

Description of site and surroundings

The property is located at the southwest corner of the intersection of Metcalfe and Nepean Streets. The property is approximately 1,824 square metres in size and is currently occupied by a six-storey building containing a mix of residential and office type uses and a surface parking lot. The building on the site, which is also known as the Medical Arts Building, is listed as a category two building on the City's Heritage Reference List and there is a complementary application for designation of that building under Part Four of the *Ontario Heritage Act* for consideration by Planning Committee. Situated in the Centretown neighbourhood, the site is surrounded by medium to high profile buildings of commercial, residential and mixed-uses. Adjacent uses include a seven-storey commercial building on the north side of Nepean Street, two 27-storey condominium towers with a commercial podium and the Place Bell office development on the opposite corner of the intersection.

Summary of requested Official Plan and Zoning By-law amendments

The current zoning of the property is Residential (R5B) Zone with a height limit of 37 metres and an exception that permits a number of commercial uses, including offices, a medical facility, a restaurant, a personal service business limited to a barber shop, beauty salon or a dry-cleaning distribution centre, a retail establishment limited to a drug store, a florist or a newsstand. All the commercial uses, except the offices and the medical facility are restricted to the ground floor and basement. The offices and the

medical facility may be located anywhere in the building on the property or a building allowed by the current zoning.

The applicant is requesting an amendment to the zoning, to allow a new 21-storey tower that would sit atop the six-storey podium that utilizes approximately 75 to 80 per cent of the existing Medical Arts Building, to create a new 27-storey mixed-use building (83 metres in height) with approximately 169 underground parking spaces. The applicant is also requesting that a parking garage be a permitted use, retail and personal service uses beyond those currently permitted be allowed on the first two floors and that, instead of maintaining their right to allow offices and medical offices in the first 37 metres of height of a building (12 storeys), a hotel be permitted only on the first six storeys of the development proposed for the property. This request requires an amendment to the new Centretown Secondary Plan. In addition to height and permitted uses, the applicant is also requesting modifications to various performance standards such as yards, parking regulations and the amount of landscape area.

DISCUSSION

Public consultation

Notification and public consultation was undertaken in accordance with the Public Notification and Consultation Policy approved by City Council for Development Applications. Eleven comments were received as a result of the notification process, nine wanted more information on the proposal while two had concerns. They related to light/shadowing, privacy, density/livability in the downtown, noise and safety.

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

Official Plan Designations

The City's Official Plan designates the property as General Urban Area while the new Centretown Secondary Plan designates the property as Apartment Neighbourhood.

Urban Design Review Panel

The property is within a Design Priority Area and the Zoning By-law amendment application was subject to the former Urban Design Review Panel (UDRP) process. On July 3, 2014, the applicant presented their proposal to the UDRP at a pre-consultation review meeting, which was not open to the public.

The formal review meeting for the proposed development will be held as part of the Site Plan Control application. This meeting will be open to attendance by the public.

Planning Rationale

Planning Act and Provincial Policy Statement (PPS)

Section 2 of the *Planning Act* outlines those land use matters that are of Provincial interest, to which all City planning decisions shall have regard. The Provincial interests that apply to this site include the appropriate location of growth and development and the promotion of development that is designed to be sustainable to support public transit and to be oriented to pedestrians.

In addition, the *Planning Act* requires that all city planning decisions be consistent with the PPS, a document that provides further policies on matters of Provincial interest related to land use development. The PPS contains policies which indicate that there should be an appropriate mix of uses to support strong, liveable and healthy communities.

The recommended Official Plan and Zoning By-law amendments are considered consistent with the matters of Provincial interest as outlined in the *Planning Act* and is in keeping with the PPS by promoting efficient use of land and existing infrastructure for the development of an alternate form of housing in close proximity to existing and future rapid transit and in proximity to community services and amenities. This approach to redevelopment is supportive of the long term prosperity of the community and a form of city building in keeping with the direction of the PPS.

Official Plan Policies

The City's Official Plan designates the property as General Urban Area. The General Urban Area designation permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances, in combination with conveniently located employment, retail, service, cultural, leisure, entertainment and institutional uses. This will help facilitate the development of complete and sustainable communities. A broad scale of uses is found within this designation, from ground-oriented single-purpose buildings to mid-rise buildings with a mix of uses along Mainstreets or Transit Priority Corridors; from a dwelling or corner store to a shopping centre.

While the City is supportive of the establishment of a broad mix of uses in Ottawa's neighbourhoods, this is not meant to imply that all uses will be permitted everywhere within areas that are designated General Urban Area. Within neighbourhoods, the Zoning By-law will allow those uses that provide for the local, everyday needs of the residents, including shopping, schools, recreation and services. Uses that also serve wider parts of the city will be located at the edges of neighbourhoods on roads where the needs of these land uses (such as transit, car and truck access, and parking) can be more easily met and impacts controlled. Subject to certain policies, the City supports infill development and other intensification within the General Urban Area in a manner that enhances and complements the desirable characteristics and ensures the long-term vitality of the many existing communities that make up the City.

In accordance with Official Plan Amendment 150 to the City's Official Plan, the height of buildings constituting intensification and infill is generally capped at four storeys on lands designated General Urban Area. There are, however, exceptions where greater height is allowed. Such as in proximity to rapid transit, a major road, where taller buildings exist, where the existing zoning permits taller buildings or where there is a secondary plan that permits taller buildings.

It is the Department's position that the proposed rezoning will allow residential use on the property to provide a choice of housing types to meet the needs of all ages, incomes and life circumstances. As well, the commercial uses to be allowed will provide for conveniently located employment, retail and service uses to help facilitate the development of complete and sustainable communities. With respect to the height of the proposed development, while the current zoning would allow a 12-storey building, it is the Centretown Secondary Plan that will permit the intensification proposed for the property.

New Centretown Secondary Plan

While the application was submitted for review before the Ontario Municipal Board rendered a decision on the new Centretown Secondary Plan and while the proposal conforms to all the relevant policies in the original Centretown Secondary Plan, consideration of the development should also be made in consideration of the policies in the new Centretown Plan, as the new Centretown Secondary Plan represents Council's intentions and establishes direction to help guide the future development of lands within

the Centretown Neighbourhood. With respect to that new plan, it contains seven core principles which are its foundation. These are:

- maintain and respect the character of Centretown's neighbourhoods;
- accommodate residential growth;
- accommodate a diverse population;
- reinforce and promote commercial activity;
- enhance the public realm;
- encourage walking, cycling and transit use; and
- promote design excellence.

Each of these seven core principles has their own objectives and it is the Department's position that the proposed rezoning will provide for a development that satisfies these seven core principles.

The first core principle speaks to protecting identified heritage buildings. A complementary report has been submitted to the Built Heritage Sub-Committee and is before Planning Committee in conjunction with this report, to designate the Medical Arts Building on the property under Part Four of the *Ontario Heritage Act*. Approximately 75 per cent of the building on the property will be maintained and adaptively reused as part of this development.

The second core principle speaks to achieving an intensification target of 10,000 new residents and doing so while having minimal or no impacts on established low-rise residential neighbourhoods. This proposed rezoning will help achieve that objective, as it will provide new residential units on a property that is in an area designated for higher buildings, not in a lower density neighbourhood.

The third objective speaks to accommodating a diverse social and cultural community. The proposed development is close to transit and contains a variety of housing options for households with varying incomes, which provides a variety of choices. These objectives are similar to the diversity goals presented in the General Urban Area

designation of the Official Plan and as mentioned, are satisfied by this proposed development.

The fourth objective speaks to promoting commercial activity. It recognizes that Bank and Elgin Streets are good examples of successful neighbourhood main streets and that Somerset Village is a destination for restaurants and small commercial enterprises. In addition to this, the objectives also strive to enhance the presence of small businesses within mixed use areas. It is the Department's position that the proposed zoning will satisfy this objective as it will provide for commercial uses that will aid in meeting the needs of the Centretown community.

The fifth and sixth objectives relate to enhancing the public realm and encouraging alternative forms of transportation, such as walking, cycling and transit use. Through the subsequent Site Plan Control approval process, the public realm around the property will be enhanced with increased vegetation and will replace a parking lot with active building frontage, which will help improve pedestrian comfort. As well, being next to the downtown, which has existing cycling facilities and easily accessible public transit, the proposed development is anticipated to promote alternative forms of transportation to satisfy these objectives.

The final objective relates to design excellence. The proposed development has already been to the City's Urban Design Review Panel (UDRP) for a pre-application consultation and received initial positive feedback. As part of the Site Plan Control approval process the proposed development would return to the UDRP for a formal review and additional comments on urban design. Nevertheless, the proposed development, which incorporates the existing Medical Arts Building, is expected to complement and respect the existing character of the area.

In addition to the foregoing, the new Centretown Secondary Plan designates the property as Apartment Neighbourhood and the subject property is located within the Northern Character Area. The land use designation of Apartment Neighbourhood anticipates high-rise mixed-use buildings, such as the one proposed. Small scale, neighbourhood-oriented commercial uses are also permitted but are restricted to the first two floors of a building and cannot occupy more than 50 per cent of the buildings gross floor area. Building heights vary in the Northern Character Area but on the subject property the maximum is to be 83 metres / 27 storeys.

In addition to the foregoing, policies in the new Centretown Secondary Plan indicate that buildings 10 storeys or higher are generally to take a podium and tower form. Buildings should be three metres from the front lot line, with the podium framing adjacent streets and being a maximum of six storeys. The tower should generally be stepped back from the podium edge, have a maximum floor plate of 750 square metres and towers should be spaced a minimum of 20 metres from another tower. The placement of towers shall consider the ability of adjacent properties to accommodate a similar tall building. North of Lisgar Street, towers are generally to be nine metres from rear lot lines.

It is the Department's position that the proposed development conforms to the relevant policies of the City's new secondary plan, as presented above. The building takes a podium/tower form and with incorporating the majority of the Medical Arts Building into the design, the podium is six storeys in height. While the existing building cannot be setback three metres from the front lot line, it is noted that the setback of up to just over 1 metre reflects the current setback of the Medical Arts Building. The floor area of the tower portion of the development is to be approximately 725 square metres and the setbacks proposed on the southerly and easterly yards respect the desired 20-metre separation between the existing tower located at 225 Lisgar Street and a proposed tower at 96 Nepean Street. While the applicant had requested a proposed height of 84.5 metres, the decision has been made to remove this request and respect the 83-metre height limit proposed by the secondary plan.

Proposed Zoning

In addition to the foregoing, the applicant has also requested that the allowable commercial uses be expanded, that a parking garage be a permitted use and that there be specific amendments to performance standards.

With respect to the request for expanded commercial uses, as stated, the zoning currently on the property permits a limited number of commercial uses. It is understood that the retail and personal service uses were limited in their scope and their location to help ensure that they catered primarily to the residents of the surrounding neighbourhood. However, it can be argued that the types of retail and personal service uses currently permitted can be expanded to a more general category of retail and personal service business to allow opportunities for other similar commercial uses to provide services to the Centretown Area. As a result, the Department is recommending

that the limitations on retail and personal service uses be amended to indicate that these types of uses are permitted. The new secondary plan restricts these uses to the first two floors, which is intended to restrict their size and, therefore, to be a use that serves mainly the local community. The Department is, therefore, recommending that this restriction be imposed in the proposed zoning, thereby limiting the uses to the first two floors.

In addition to the commercial uses presented above, the applicant is also requesting that a parking garage be a permitted use. The Department can support the additional use of parking garage as both the Official Plan and the Centretown Community Design Plan refer to providing short term parking that supports the needs of such uses as local businesses, institutions and tourism destinations, as well as residents. Parking is also permitted in a manner that manages the balance between transit ridership and the needs of automobile users. These documents also recognize that parking which is provided, should be underground or in structures and that arrangement should be made to share this parking among land users. The proposed rezoning to allow public parking is in conformity with this direction in the Official Plan and the Centretown Secondary Plan. It will allow for the desired sharing of parking referred to in these documents, as well as provide the opportunity to meet the needs of short term and longer term users, who travel to Centretown and the Central Area for purposes such as tourism, shopping or visiting, without negatively impacting transit ridership. Public parking is proposed to be restricted to 35 parking spaces.

Hotel Use/Official Plan Amendment

The current zoning on the property allows a medical facility and an office to locate within the first 37 metres in height (up to 12 storeys) of a building. These uses and, in particular, the medical facility can be disruptive to the surrounding community. As part of their proposal, the applicant has offered to release the rights to these uses, in favour of a hotel use being located on the first six storeys of a building on the property, which includes the existing Medical Arts Building to be retained. While the new Centretown Secondary Plan permits small-scale neighbourhood commercial uses, it limits them to the first two storeys and 50 per cent of the gross floor area of a building. At 27 storeys, a hotel use located on the first six storeys would be less than 50 per cent of the building, but would be above the first two storeys. To allow this use as proposed, the applicant requires an amendment to the new Centretown Secondary Plan.

In this instance, the Department can support the proposed amendment. The intent of this land use provision in the secondary plan, which limits the amount of commercial uses in a building, is to help ensure that it is not the predominant use and does not result in undue adverse impact, with respect to traffic, to the surrounding area. As mentioned above, the medical facility can be seen as particularly disruptive to the surrounding neighbourhood. A medical facility has high volumes of vehicular traffic and parking requirements on a daily basis and depending on the specialty of the medical practitioners in the building, can provide a service to people throughout the region. As well, a 12-storey office is a use that would better be suited for the Central Area and with the subject property being located just beyond the edge of that part of the city, could be viewed as an example of the Central Area creeping into Centretown. Conversely, it can be argued that the proposed hotel use is a quasi-residential use that in comparison to the aforementioned uses has less of an impact on the surrounding residential area. People arrive and depart less frequently, and those who stay at the hotel to visit this area of the City may not arrive by private vehicle or may not use their vehicle the whole time they are here.

In addition to eliminating two potentially disruptive uses from the property, consideration must also be given to the fact that the applicant's proposal effectively eliminates six floors of commercial uses that exist as of right and, as such, is moving the property closer to conformity with the new Centretown Secondary Plan, despite the fact that an amendment to the secondary plan is required. Based on the nature of the proposed use, the elimination of two existing uses and the unique circumstance of actually reducing the extent of commercial uses on the property, the Department can support the proposed amendment to the secondary plan to allow site specific polices related to the location of a commercial hotel use. In relation to the functioning of the hotel, which is to be approximately 140 units, the Department is recommending that as part of the complementary rezoning, the required parking be a minimum of 35 parking spaces. As not all patrons of the proposed hotel will be arriving by private vehicle and as part of the hotel's operation there should be an understanding of how many spaces would be occupied or expected to be occupied by patrons within a specific timeframe, to make better use of the spaces, it is the Department's recommendation that it is these spaces which have the opportunity to be open to the general public.

Zoning Performance Standards

In Centretown and the downtown area, the policies of the Official Plan are in place to create dense, compact forms of development, where people have the opportunity to use safe and convenient alternative forms of transportation. These are complete communities that do not necessarily rely on or encourage the use of a private automobile. In relation to this the applicant is requesting reductions to parking rates. One reduction relates to visitor parking being provided at a rate of 0.083 spaces for each dwelling after the first 12 dwelling units. This equates to 16 spaces and this rate has proven to provide adequate visitor parking in high density residential development that supports alternative forms of transportation without resulting in an adverse on-street parking impact.

The parking required for the residential portion of the development is 103 spaces while 118 are proposed to be provided. The parking required for the retail/personal service restaurant uses proposed to be located in the building is approximately seven spaces. Since it is expected that the peak times for visitor parking and commercial parking differ, and considering that their needs are for short term parking, as well as the ability of people to use alternative forms of transportation, there is the opportunity to share required parking between these uses. To help ensure the availability of these spaces for these specific uses and to help ensure that the proposed development has minimal impact on the surrounding on-street parking, the Department is recommending that the parking required for these uses not be a component of the parking open to the general public.

In addition to the foregoing, amendments are proposed to various performance standards relating to loading parking and landscaped area. With respect to loading, access to the proposed loading space is dictated by the location of the building with respect to the southern side of the existing building, which is approximately 2.7 metres wide, instead of the required six metres. The applicant is also requesting slight amendments to the width of drive aisles to 6.2 metres from 6.7 metres and that the amount of required landscaping be reduced to 16 per cent from 30 per cent. The Department can support these amendments as they are a result of maintaining the Medical Arts Building on the property and in the situation of the driveway and loading aisles, these reductions still allow for functional use and manoeuvring.

The Department can support the proposed reduction in required landscaping as the proposal eliminates a surface parking lot, which occupies a majority of the site, maintains a heritage building and with the provision of new trees along the street, will increase the current amount of landscaping around the edge of the property.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor McKenney provided the following comments:

“This application is seeking to amend the Centretown Secondary Plan which was only finalized about three years ago. The purpose of the Plan is to provide clarity, consistency, and predictability to planning and building Centretown. Amending the Secondary Plan so soon after it has been finalized – and on the heels of an OMB appeal – completely undermines its purpose and the long hours of hard work put in by residents. Our CDPs need to be respected.

That said, the zoning context for this site is unique and the Community Association and I recognize that the CDP does not quite address the specifics of this site. However with respect to the use, a hotel use on the entire podium – in both the old portion and the new portion – is an inappropriate use for this site.

As Centretown intensifies with large buildings such as this it is important that we do not neglect certain types of residents. As such, I would like to see three bedroom units incorporated into the building in order to attract and retain more families living downtown. I would also like to see affordable units in the building or a contribution to the Ward 14 Affordable Housing account from the developer.

Furthermore, I would like to see the applicant work closely with the Community Association in order to develop more green space in and around this development.”

LEGAL IMPLICATIONS

There are no legal impediments to adopting the recommendations outlined in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

This rezoning proposal relates to the use of existing facilities and a new building that would have been and will be constructed in accordance with the Ontario Building Code, there are no accessibility impacts.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

C1 – Contribute to improvement of quality of life.

C3 – Provide a compelling vibrant destination.

GP3 – Make sustainable choices.

TM2 – Maximize density in and around transit stations.

TM3 – Provide infrastructure to support mobility choices.

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 changes to the requested zoning and to provide the Community Association with extra time to decide whether or not they wanted to provide comments.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Proposed Official Plan Amendment

Document 3 Details of Recommended Zoning

Document 4 Height and Yards Schedule

Document 5 Consultation Details

Document 6 Renderings

Document 7 Overview Data Sheet

CONCLUSION

Based on the preceding rationale, it is the Department's position that the proposed development, which will maintain a heritage resource, will be a positive addition to the Centretown neighbourhood. The uses proposed are considered to be compatible with the surrounding area and the elimination of offices and in particular a medical facility from the list of permitted uses, as well as their ability to be located on the first 12 storeys of a building on the property, is a positive for the community. Additionally, while a hotel would be permitted on the first six storeys, this amendment moves the proposed development closer to conformity with the new Centretown Secondary Plan, with respect to limiting the location of commercial uses.

DISPOSITION

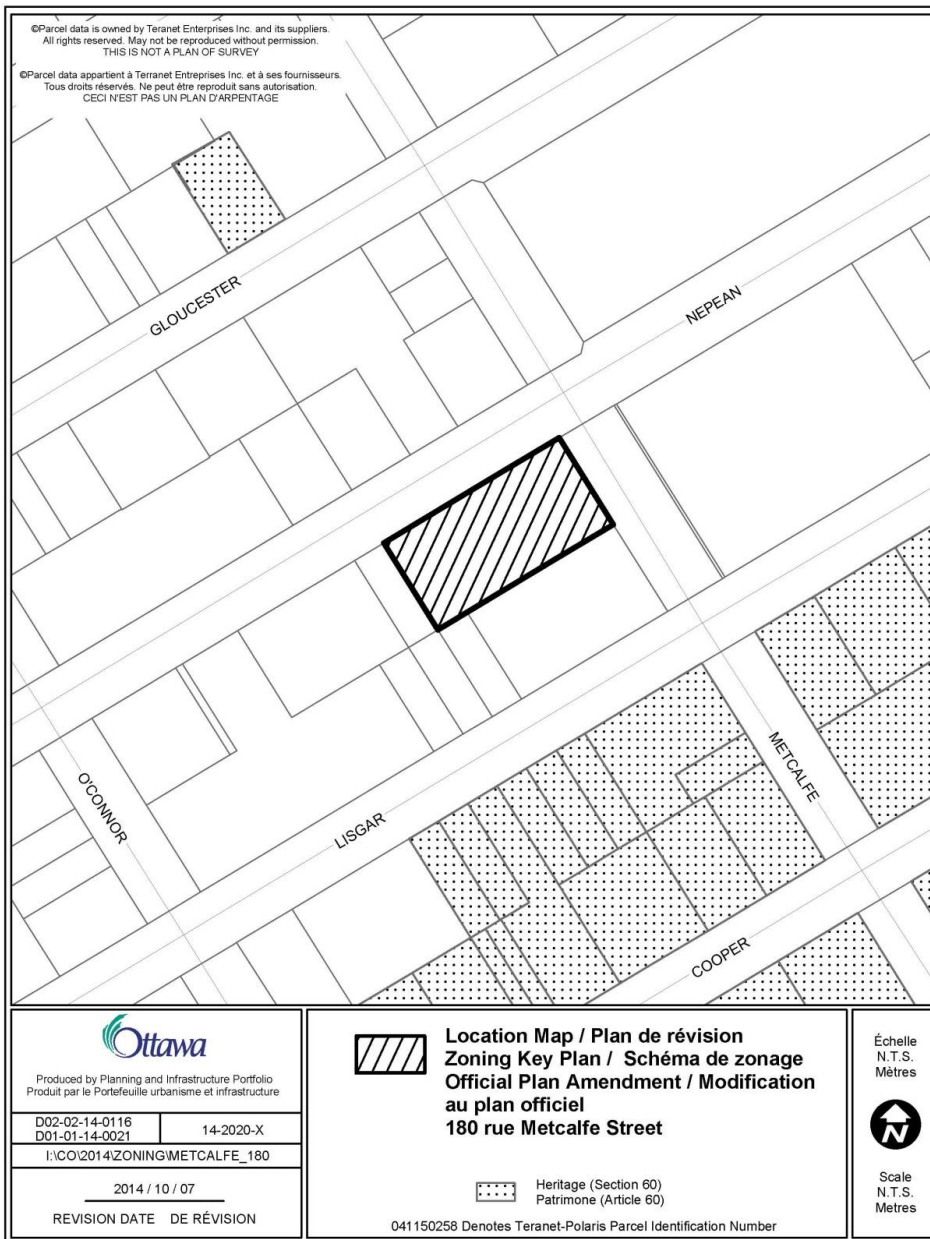
City Clerk and Solicitor Department, Legislative Services, to notify the owner, applicant, Ottawa Scene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5, Scott Templeton, Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76) of City Council's decision.

Planning and Growth Management Department to prepare the implementing by-laws, forward to Legal Services and undertake the statutory notification. Legal Services Department to forward the implementing By-law to City Council.

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa.

This is a location map, which shows the subject property.



Document 2 – Proposed Official Plan Amendment



Official Plan Amendment No. XXX Modification du Plan Directeur

To the Official Plan of the City of Ottawa

Land use
Utilisation du sol

INDEX

THE STATEMENT OF COMPONENTS

PART A – THE PREAMBLE does not constitute part of the Amendment.

Purpose – page 19

Location – page 19

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PART B – THE AMENDMENT consisting of the following text constitutes Amendment.

No. 126 to the Official Plan of the City of Ottawa.

Introduction – page 21

Details of the Amendment – page 21

Implementation and Interpretation – page 21

PART A – THE PREAMBLE

Purpose

The purpose of this amendment is to add a site specific policy to the Centretown Secondary Plan to allow a hotel in the first six storeys of a building on the property, instead of only on the first two floors.

Location

The subject property is located on the southwest corner of the intersection of Metcalfe and Nepean Streets, as shown on the location map at Schedule A. The property is approximately 1,824 square metres in size.

Basis

Background

The site is currently occupied by a six-storey commercial building and an associated surface parking lot. The building on the site, which is also known as the Medical Arts Building, is listed as a category two building on the City's Heritage Reference List and at the time of preparing this proposed amendment, is proposed for designation under Part Four of the *Ontario Heritage Act*.

The current zoning of the subject property is residential (R5B) zone with a height limit of 37 metres and an exception that permits a number of commercial uses. Existing permitted commercial, except offices and medical offices are restricted to the first floor and basement. The offices and the medical facility may be located anywhere in a building on the property.

The applicant's request is to construct a new 21-storey tower that would sit atop the six-storey podium that utilizes the majority of the existing Medical Arts Building, to create a new 27-storey mixed-use building (83 metres). As part of this approval, the applicant is willing to forego their existing zoning rights of having an office or medical facility in the first 37 metres of the new building (12 storeys), in favour of having a hotel permitted on the first six storeys.

The subject property is located within the Northern Character Area and the Centretown Plan contains a policy for the Northern Character Area whereby commercial uses are

only permitted in the first two storeys of a building (Policy 3.9.2.1). The applicant has requested an amendment to this policy to allow a hotel in the first six storeys.

Rationale

As presented in the Background, the current zoning on the property allows office and medical office uses on the first 37 metres in height (approximately 12 storeys) of a building(s) on the property. These uses and, in particular, the medical office, can be disruptive to the surrounding community. A medical office has high volumes of vehicular traffic and parking requirements on a daily basis and depending on the specialty of the medical practitioners in the building, can provide a service to people throughout the region. A 12-storey office is a use that would better be suited for the Central Area and with the subject property being located just beyond the edge of that part of the city, could be viewed as an example of the Central Area creeping into Centretown. As part of their proposal, the applicant has offered to release the rights to these uses, in favour of a hotel use being located on the first six storeys of a building on the property, which includes the existing Medical Arts Building to be retained.

The intent of this land use provision in the secondary plan, which limits the amount of commercial uses in a building, is to help ensure that it is not the predominant use and does not result in an undue adverse impact, with respect to traffic, to the surrounding area. The proposed hotel use is a quasi-residential use that in comparison to the aforementioned uses has less of an impact on the surrounding residential area.

This change in permitted land use effectively eliminates six floors of commercial uses that currently exist as of right. This amendment is seen as a means of moving the property closer to conformity with the intent of the Centretown Secondary Plan, despite the fact that an amendment to the secondary plan is required.

PART B – THE AMENDMENT

1. Introduction

All of this part of this Document entitled Part B – The Amendment consisting of the following text, constitutes Amendment No. XXX to the Official Plan of the City of Ottawa.

2. Details of the Amendment

Section 3.9.2 of the Centretown Secondary Plan of the City of Ottawa Official Plan Volume 2A is hereby amended by adding the following as a new policy:

“3.9.2.4 Despite the provisions of Section 3.9.2.1 relating to the location of non-residential uses, for the property located at 180 Metcalfe Street, a hotel use may occupy the first six storeys of the building on the property.”

3. Implementation and Interpretation

Implementation and Interpretation of this Amendment shall be made having regard to applicable policies set out in volume 1 – Primary plan of the City of Ottawa Official Plan.

Schedule A – Location of Site Specific Policies



Produced by Planning, Transit and the Environment, Planning and Infrastructure Approvals Branch, Development Approvals West / Central Division Mapping and Graphics



Produit par le Service de l'urbanisme, du transport en commun et de l'environnement, Direction de l'approbation des demandes d'aménagement et d'infrastructure, Division de l'approbation des demandes d'aménagement, Ouest-Centre Cartographie et Graphiques

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05 / 24 / 2015

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Scale - N.T.S. / Echelle N.A.E.

SCHEDULE A

Location Map
 180 Metcalfe Street



LANDS TO WHICH SITE SPECIFIC POLICIES RELATING TO THE LOCATION OF A HOTEL APPLY
 TERRES AUX QUELLES SITE POLITIQUES SPECIFIQUES RELATIVES AU LIEU D'UN HÔTEL APPLIQUER

ANNEXE A

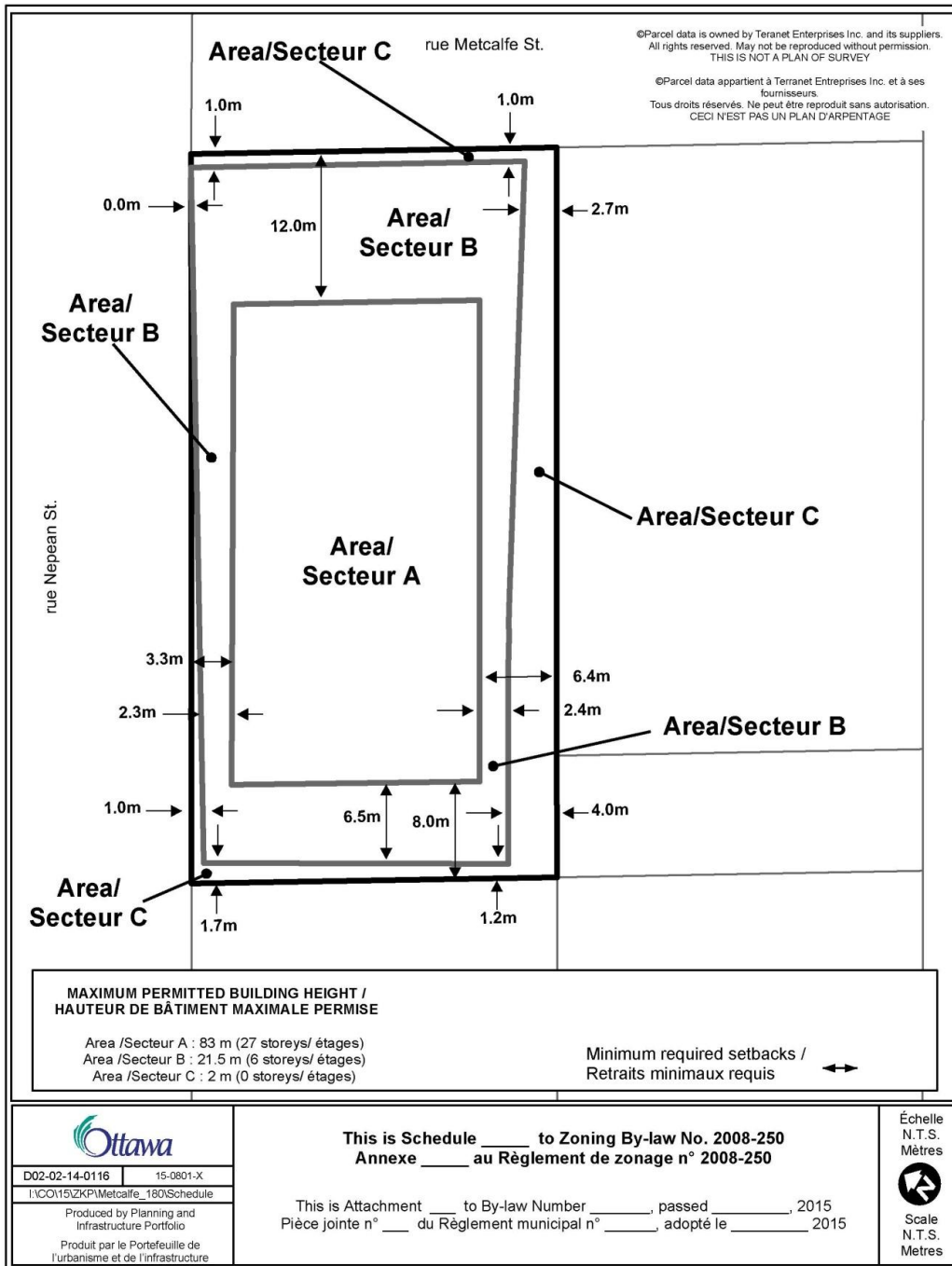
Plan de localisation
 rue Metcalfe, 180

Document 3 – Details of Recommended Zoning

Proposed changes to Zoning By-law 2008-250 for the lands shown in Document 1:

1. Rezone the lands shown in Document 1 from R5B[850] H(37) to R5B[xxxx] Syyy;
2. Create a new exception, R5B[xxxx] Syyy under Section 239 Urban Exceptions, with provisions similar to the following:
 - i) Hotel is permitted within the first six storeys of the building on the property;
 - ii) Retail, restaurant and personal service uses are permitted, but may only be located on the first two floors;
 - iii) A parking garage is an additional permitted use;
 - iv) A parking garage as a principle use may not exceed 35 spaces;
 - v) Minimum yard setbacks and maximum building height in accordance with Schedule yyy;
 - vi) The minimum width of a driveway access to a loading space may be 2.7 metres;
 - vii) A minimum of 16 visitor parking spaces must be provided and these spaces may be used as provided and required parking for retail, restaurant and personal service uses located on the property;
 - viii) A minimum of seven parking spaces are required for all retail, restaurant and personal service uses on the property;
 - ix) An aisle may be a minimum of 6.2 metres wide;
 - x) The required landscaped area may be reduced from 30% to 16%;
3. Remove from exception 850 all the provisions relating specifically to 180 Metcalfe Street; and,
4. Add Document 4 as a new schedule to Part 17.

Document 4 – Height and Yards Schedule



Document 5 – Consultation Details

Notification and Consultation Process

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. Eleven comments were received as a result of the notification process, nine wanted more information on the proposal while two had concerns. A summary of the comments and a response to them are provided below.

Public Comments and Responses

Comment:

There are too many condominiums in the downtown; they make the area too noisy and unsafe in which to live. They are ruining the life of the City.

Response:

City Council has approved an Official Plan that encourages intensification in the downtown area, which includes the construction of high-rise condominiums. These developments are intended to bring activity and animation to the street and provide services that meet the needs of the surrounding public. It is the Department's position that the proposed development, which incorporates the efficient use of an existing heritage resource, will be a positive element for the Centretown neighbourhood.

Comment:

If this building is approved it will block my natural light.

Response:

The proposed development is in keeping with the intended heights for this area of Centretown. As well, while it is understood that all buildings cast shadows, the design of the tower is intended to minimize this impact, allowing shadows to move quickly across the landscape.

Comment:

Construction of this building will be very disruptive to my life. There will be so much noise.

Response:

It is true that there are disruptions to the surrounding streets, land uses and residents during the time of construction. The City has regulations in place to regulate the times of day where construction can occur, to mitigate noise and its impacts on the community.

Comment:

Leave the historic building alone. They are no longer historic when you build upon them.

Response:

If the building on the property is designated under the *Ontario Heritage Act*, when Site Plan Control and building permit applications are submitted to the City, the applicant will also be required to file an application to alter a heritage building. The *Act* anticipates that alterations can be made to a building, while still maintaining the heritage aspects that were required for designation.

Community Organization Comments and Responses:

No comments were received from the local Community Associations.

Document 6 – Renderings

