

3. Zoning By-law Amendment – 35, 37 William Street and part of 62 York Street

Modification du Règlement de zonage – 35, 37 rue William et partie de 62 rue York

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 35 and 37 William Street and part of 62 York Street to permit a four-storey mixed-use building, as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant les 35 et 37, rue William et une partie du 62, rue York, afin de permettre la construction d'un immeuble polyvalent de quatre étages, comme l'expose en détail le document 2.

Documentation/Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated November 13, 2020 (ACS2020-PIE-PS-0110)

Rapport du Directeur, Service de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 13 novembre 2020 (ACS2020-PIE-PS-0110)

2. Extract of draft Minutes, Planning Committee, November 26, 2020

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 26 novembre 2020

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
26 November 2020 / 26 novembre 2020**

**and Council
et au Conseil
9 December 2020 / 9 décembre 2020**

**Submitted on 13 November 2020
Soumis le 13 novembre 2020**

**Submitted by
Soumis par:
Douglas James,
Acting Director / Directeur par intérim
Planning Services / Services de la planification
Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique**

**Contact Person / Personne ressource:
Ann O'Connor, Planner / Urbaniste, Development Review Central / Examen des
demandes d'aménagement centrale
613-580-2424, 12658, ann.o'connor@ottawa.ca**

Ward: RIDEAU-VANIER (12)

File Number: ACS2020-PIE-PS-0110

**SUBJECT: Zoning By-law Amendment – 35, 37 William Street and part of 62
York Street**

**OBJET: Modification du Règlement de zonage – 35, 37 rue William et partie
de 62 rue York**

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to
Zoning By-law 2008-250 for 35 and 37 William Street and part of 62 York**

Street to permit a four-storey mixed-use building, 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 December 9, 2020," subject to submissions received between the publication of this report and the time of Council's decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 visant les 35 et 37, rue William et une partie du 62, rue York, afin de permettre la construction d'un immeuble polyvalent de quatre étages, comme l'expose en détail le document 2.
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation, en tant que « brève explication », dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes de la Loi sur l'aménagement du territoire, à la réunion du Conseil municipal prévue le 9 décembre 2020 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

EXECUTIVE SUMMARY

Staff Recommended Approval

Planning Services staff recommend approval of the Zoning By-law amendment application for 35 and 37 William Street and part of 62 York Street to permit a four-storey mixed use building, as shown in Document 4 – Conceptual Site Plan and View Analysis Renderings.

The requested Zoning By-law amendments include:

- A 4.6-metre increase in maximum permitted height. The applicant is seeking permission for a maximum permitted building height of 13.8 metres, whereas Schedule 73 requires a maximum of 9.2 metres. A new Schedule YYY is proposed to incorporate stepbacks in height from William Street.
- A provision setting a maximum permitted height of a mechanical penthouse projection of 3.0 metres and a minimum 6.6-metre setback from the fourth floor William Street façade. While a mechanical projection is already permitted as-of-right, staff are requesting this provision be included in the exception to ensure the height of the projection provides a transition in height to William Street, and that it is compatible with the heritage character of the ByWard Market.
- A 5.7-metre increase in the width permitted for ground floor uses. The applicant is seeking permission for a restaurant use to occupy 11.7 metres of the frontage along William Street, whereas Section 194(2)(c)(i) and Table 194(A) requires that the maximum width of any permitted uses on the ground floor be 6.0 metres for William Street.
- Permission to have Section 60 – Heritage Overlay, Policy (1) and (3) not apply to a four-storey building on the site. These two policies address the scale of development on properties subject to the overlay. The applicant is seeking permission to be exempt from these policies to allow for the proposed redevelopment.

Applicable Policy

The proposed development is consistent with the Official Plan and the Central Area Secondary Plan. The proposal is to repair what was retained from the April 2019 fire on the existing two-storey 35 and 37 William Street building, as well as construct a four-storey L-shaped addition that extends onto a part of 62 York Street (abutting 35 and 37 William Street to the east). The proposed Zoning By-law amendment is consistent with the applicable Official Policies, including the Central Area policies (Section 3.6.6) and the Urban Design and Compatibility Policies (Section 2.5.1 and 4.11). The proposed hotel and restaurant uses cater to tourists and residents alike, contributing to the economic and cultural health of the Central Area and the proposed design involves transitions in massing to ensure a sensitive and

compatible scale. The site is also designated “ByWard Market” character area in Schedule B of the Central Area Secondary Plan. By maintaining a low-rise height and including substantial setbacks from William Street, this proposal adheres to the Secondary Plan policies.

Public Consultation/Input

Document 5 – Consultation Details provides a summary of the comments received from one member the public during the circulation period, along with staff’s response.

RÉSUMÉ

Approbation recommandée par le personne

Le personnel des Services de planification recommande l’approbation d’une modification au Règlement de zonage visant les 35 et 37, rue William et une partie du 62, rue York, afin de permettre la construction d’un immeuble polyvalent de quatre étages, comme l’illustre le document 4 – Plan d’implantation conceptuel et rendus d’analyse des vues.

Les modifications demandées au Règlement de zonage sont les suivantes :

- Une augmentation de 4,6 mètres de la hauteur maximale autorisée. Le requérant demande l’autorisation d’augmenter la hauteur de bâtiment maximale à 13,8 mètres, alors que l’annexe 73 limite cette hauteur à 9,2 mètres. La création d’une nouvelle annexe est proposée afin d’intégrer des retraits en hauteur depuis la rue William.
- Une disposition établissant une hauteur maximale autorisée de 3,0 mètres pour la saillie d’un local technique et un retrait minimal de 6,6 mètres à partir du quatrième étage pour la façade donnant sur la rue William. Bien qu’une saillie de local technique soit déjà autorisée de droit, le personnel demande que cette disposition soit intégrée à l’exception afin que la hauteur de la saillie offre une transition de hauteur vers la rue William et qu’elle soit compatible avec le caractère patrimonial du marché By.
- Une augmentation de 5,7 mètres de la largeur autorisée des utilisations en rez-de-chaussée. Le requérant souhaite que son restaurant occupe une largeur de 11,7 mètres le long de la rue William, alors que l’alinéa 194(2)(c)(i) et le tableau 194(A) exigent que la largeur maximale de toute utilisation autorisée au rez-de-chaussée soit limitée à 6,0 mètres sur la rue William.

- La dispense de l'application des politiques (1) et (3) de l'article 60 – Secteur désigné à valeur patrimoniale pour un immeuble de quatre étages sur l'emplacement. Ces deux politiques concernent l'échelle de l'aménagement de propriétés visées par la zone sous-jacente. Le requérant souhaite être dispensé des exigences de ces politiques afin de réaliser l'aménagement proposé.

Politique applicable

L'aménagement proposé est conforme au Plan officiel et au Plan secondaire de l'Aire centrale. Le projet vise à réparer les éléments conservés après l'incendie d'avril sur l'immeuble de deux étages situé aux 35 et 37, rue William, et à construire une annexe de quatre étages en forme de « L » qui se prolongerait sur une partie du 62, rue York (qui jouxte les 35 et 37, rue William à l'est). La modification proposée au Règlement de zonage est conforme aux politiques applicables du Plan officiel, notamment les politiques applicables à l'Aire centrale (paragraphe 3.6.6) et aux politiques de design urbain et de compatibilité (paragrophes 2.5.1 et 4.11). L'hôtel et le restaurant proposés, répondant aux besoins des touristes comme des résidents, contribueront à la vitalité économique et culturelle de l'Aire centrale, et la conception proposée implique des transitions dans la volumétrie afin de garantir une échelle sensible et compatible avec le contexte environnant. L'emplacement est également désigné secteur à caractère pittoresque du « marché By » dans l'annexe B du Plan secondaire de l'Aire centrale. En maintenant une faible hauteur et en intégrant des retraits importants devant la rue William, ce projet respecte les politiques du Plan secondaire.

Consultation publique et commentaires

Le document 5 (Détails de la consultation) donne un aperçu des commentaires d'un membre du public transmis pendant la période de circulation, et fournit la réponse du personnel.

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

35 and 37 William Street and part of 62 York Street

Owner

2361212 Ontario Limited (35 William Street), 2719210 Ontario Inc. (37 William Street), and 1364394 Ontario Ltd. (62 York Street)

Applicant

Holzman Consultants Inc. (Bill Holzman)

Architect

KWC Architects Inc.

Description of site and surroundings

The subject property is an amalgamation of three properties at 35 and 37 William Street and part of 62 York Street. The lands municipally known as 35 and 37 William Street are currently occupied by a two-storey restaurant known as Vittoria Trattoria. This property contains a designated heritage building, which was recently subject to a fire. The land municipally known as 62 York Street is a long and narrow lot, with approximately 10 metres of frontage on York Street and 50 metres depth. The rear portion 62 York Street is included in the lands subject to this proposal, as illustrated in Document 1 – Location Map and Zoning Key Plan.

Surrounding context:

- To the north, the site abuts a property municipally known as 54 York Street, currently occupied by a three-storey building with two restaurant uses. On 54 York Street, between the three-storey building and the subject property, there is an alley known as “Feathers Lane”. The owner of the subject property enjoys an easement over “Feathers Lane”, allowing the proposed building to have their waste storage located in this alley.
- To the east, the property faces another alley municipally known as 87 George Street. The owner of the property enjoys an easement over the alley on 87 George Street, providing the proposed development with direct access to York Street.
- To the east of the property is a surface parking lot serving a radio station to the south-east of the property.

- To the west, the property abuts the William Street right of way, beyond which is 55 ByWard Market Square (a two-storey heritage building spanning the entire block).

Summary of requested Zoning By-law amendment proposal

The subject property is currently zoned MD2 S73 (Mixed-Use Downtown Zone, Subzone 2, Schedule 73) and is subject to the Heritage Overlay. The requested zoning retains the MD2 zone and adds a site-specific Exception XXXX and Schedule YYY. The proposed hotel and restaurant uses are already permitted as-of-right within the existing zone. The amendment is requested to permit: an increase in the maximum permitted building height from 9.2 metres to 13.8 metres; a 3-metre-high mechanical penthouse; an increase in the permitted width of ground floor uses; and seek relief from two Heritage Overlay provisions.

Brief history of proposal

In April 2019, the historic buildings located at 35 and 37 William Street were heavily damaged by fire. The property at 35 and 37 William Street and 62 York Street is designated under Part V of the *Ontario Heritage Act* and located in the ByWard Market Heritage Conservation District.

In December 2019, the property owner submitted an application under the *Ontario Heritage Act* to repair the historic façades and construct a new four storey mixed use building to the rear (*Ontario Heritage Act* application File No. D09-04-20-0001). The application was recommended for approval by the Built Heritage Sub-committee on February 11, 2020 and approved by Council on April 8, 2020. The associated heritage permit was issued on April 16, 2020.

On January 28, 2020 the owner applied for this Zoning By-law amendment application (File No. D02-02-20-0006) as well as an associated Site Plan Control application (File No. D07-12-20-0006). This Site Plan Control application is on hold pending Council's decision on this Zoning By-law amendment application.

On June 3, 2020, the Committee of Adjustment granted provisional consent for the conveyance of the rear portion of 62 York Street through a Consent Application (D08-01-19/B-00410). The proposed four-storey mixed-use building is proposed on three lots: 35 and 37 William Street, and the rear portion of 62 York Street, as shown on Document 1 – Location Map. The rear portion of 62 York Street is included in this rezoning application, as the development is partially located on this lot.

DISCUSSION

Public consultation

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. One resident provided feedback on the subject proposal. The comments received are summarized in Document 5 – Consultation Details.

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

Official Plan designation

The property is designated Central Area in Schedule B of the Official Plan.

Other applicable policies and guidelines

The site is designated “ByWard Market” character area in Schedule B of the Central Area Secondary Plan.

Heritage

The properties at 35 and 37 William Street and 62 York Street are designated under Part V of the *Ontario Heritage Act* as part of the ByWard Market Heritage Conservation District. The property is, therefore, subject to the Heritage Conservation District Guidelines. As per the staff report brought forward by Heritage Planning staff to the Built Heritage Sub-committee on February 11, 2020 and Council on April 8, 2020, Heritage staff are satisfied that the proposed alterations are consistent with the ByWard Market Heritage Conservation District Guidelines as well as Park's Canada's “Standards and Guidelines for the Conservation of Historic Places in Canada”. Council approved staff's recommendation to approve the heritage applications to alter the properties.

Urban Design Review Panel

The property is within a Design Priority Area; however, the proposal was exempt from the Urban Design Review Panel (UDRP) process because the proposal was four storeys. The proposal would have only been subject to the UDRP process if it was for a building that was greater than four storeys.

Planning rationale

Official Plan

The proposal has been reviewed under the consolidated Official Plan (2003 – OPA76) and in accordance with the Council approved amendments contained within Official Plan Amendment 150 (OPA150). The proposed Zoning By-law amendment is consistent with the applicable Official Plan policies, including the Central Area policies (Section 3.6.6) and the Urban Design and Compatibility policies (Section 2.5.1 and 4.11). It provides intensification in a manner that is consistent with the Official Plan.

Pursuant to Schedule B and Section 3.6.6, the property is designated Central Area. As outlined in Section 3.6.6, the Central Area is the economic and cultural heart of the city as well as the main tourist destination in the National Capital Region. This area is encouraged to be developed with a broad range of land uses and day/night, year-round activities.

Consistent with this policy direction, the proposed hotel and restaurant uses cater to tourists and residents alike, contributing to the economic and cultural health of the Central Area. The restaurant use is located at-grade and in the basement and occupies a total of 436 gross floor area. This restaurant use will animate William Street year-round and serve both local residents and tourists. The upper three storeys of the development will contain 16 hotel rooms, occupying 820 square metres of gross floor area. The hotel use will provide lodging to tourists visiting the ByWard Market. No vehicular parking is required or proposed, contributing to the walkable transit-oriented nature of the Central Area. Public parking garages and surface parking is available throughout the ByWard Market for visitors to the hotel. There are also three bicycle parking spaces provided, meeting the minimum required amount of bicycle parking.

Section 3.6.6 also states that new buildings and spaces within the Central Area are to be designed to reflect a human scale of development to enhance the pedestrian environment as well as protect and enhance heritage buildings. Section 2.5.1 and 4.11 provide further design guidance. Section 2.5.1 identifies that when new development is introduced into existing areas that have developed over a long period of time, the development requires a sensitive approach and a respect for a community's established characteristics.

The proposed design involves front façade repairs and restoration of what was retained from the April 2019 fire on the existing two-storey 35 and 37 William Street building, as well as a four-storey (13.8 metres) L-shaped addition that extends onto a part of

62 York Street (abutting 35 and 37 William Street to the east). The façade repairs serve to preserve the cultural heritage value of the existing building damaged by the fire. The addition to the building involves transitions in massing to ensure a sensitive and compatible scale. The addition's third storey is setback approximately 5.0 metres from the front façade, and the fourth storey is setback an additional 1.5 metres. There is also a mechanical penthouse, which is further setback 6.6 metres from the fourth storey William Street façade. These stepbacks in massing are incorporated into the proposed Zoning Schedule, shown in Document 3 – Proposed Zoning Schedule.

As a part of the required plans and studies for this rezoning application and the associated heritage application, staff requested a view analysis to be undertaken from several key vantage points to ensure that the additional two new storeys had a minimal impact on the Cultural Heritage Value of the ByWard Market. This view analysis, shown in Document 4 – Conceptual Renderings and Site Plan, demonstrates that while the two-storey addition will be visible, its multiple and significant setbacks from William Street results in minimal visual impact on the character of William Street to the west. The view from the east (from York Street) is more evident; however, the addition is consistent with the neighbouring structures that can also be viewed from this angle. Planning Services and Heritage staff support the proposed height and massing because it is sensitively designed to be consistent with the heritage character of the ByWard Market and reflect a human scale.

Central Area Secondary Plan

The site is designated “ByWard Market” character area in Schedule B of the Central Area Secondary Plan. The vision for the “ByWard Market” area is for it to be pedestrian-oriented and have a commercial character that draws a diversity of users. The policies in Section 1.5.3 of the Secondary Plan state that Council shall permit predominantly commercial uses, such as the hotel use proposed through this redevelopment, and shall require continuous pedestrian-oriented uses at grade, such as the restaurant use proposed through this redevelopment. Both the restaurant and hotel uses are already permitted on-site as-of-right.

The ByWard Market Square is directly west of this site, on the west side of William Street between York Street and George Street. The policies for this area identify that Council shall protect its ambience and environmental quality by ensuring low profile development immediately abutting the Square and ensuring the maintenance of direct sunlight on the ByWard Market Square. There are also several policies for the “ByWard Market” area that also address the Heritage Character Profile. These policies state that

City Council shall ensure that alterations to heritage resources within the designated heritage conservation district are assessed against their sensitivity to the heritage character of the property and the district as a whole. These policies also state that the scale of development is to be predominately low profile, of human scale, compatible with the heritage character of the area, and protects sunlight patterns and significant views.

By maintaining a low-rise height (four-storeys) and including substantial setbacks from William Street, this proposal adheres to the policies relating to the ByWard Market Square and ByWard Market area. The setbacks, illustrated in Document 4 – Conceptual Renderings and Site Plan, will ensure continued direct sunlight onto William Street and the ByWard Market Square. The proposed height and setbacks in massing are tied to the proposed zoning schedule illustrated in Document 3 – Proposed Zoning Schedule. Furthermore, the compatibility of the proposal with the heritage character was already demonstrated to Built Heritage Sub-committee and Council, resulting in Council's approval on April 8, 2020 of a heritage permit for the property.

The only change to the building massing since this April 8, 2020 approval is the addition of a mechanical penthouse. This mechanical penthouse is a permitted projection and has been setback 6.6 metres from the fourth floor William Street façade, falling below the line of sight from William Street, shown in Document 4 – Conceptual Renderings and Site Plan. The mechanical penthouse is 3 metres high and 35 square metres in area. Heritage and Planning Services staff agree that this projection is designed to have minimal impact and is sensitively designed to be compatible with the context.

Details of Recommended Zoning

As detailed in Document 2 – Details of Recommended Zoning and Document 3 – Proposed Zoning Schedule, the proposed Zoning By-law amendment will rezone the site from MD2 S73 to MD2[XXXX] SYYY. The following summarizes the site-specific zoning provisions:

- Schedule 73 does not apply, and maximum building height is as per SYYY

Schedule 73 currently applies to the property and it requires a maximum building height of 9.2 metres. At its highest point, the proposal is 13.8 metres in height, resulting in a 4.6 metre increase in maximum permitted building height. The proposed zoning schedule SYYY also ensures that there is a transition in height, with setbacks in massing and height. It ensures that the addition's third storey is setback approximately 5.0 metres from the front façade, and the fourth storey is

setback an additional 1.5 metres. Planning Services is satisfied the proposed SYYY provides transitions in massing to ensure a sensitive and compatible scale.

- A mechanical penthouse may project a maximum of 3.0 metres above the permitted height limits established in SYYY and be setback a minimum of 6.6 metres from the fourth floor William Street façade.

The proposed mechanical penthouse is compliant as-of-right as per Section 64 - Permitted Projections Above the Height Limit; however, staff are requesting that this provision be added to provide certainty for the future location and height of the mechanical penthouse. This provision establishes that the mechanical penthouse projection above the height limit will be setback a suitable distance from William Street and have a maximum permitted height to ensure that it is compatible with the heritage character of the area and be human scaled along William Street.

- Maximum width of any permitted uses on the ground floor is 11.7 metres.

Section 194(2)(c)(i) and Table 194(A) requires that the maximum width of any permitted uses on the ground floor be 6 metres for William Street. The intent of this provision is to ensure varied storefronts that provide animation along William Street. The proposal includes a restaurant use that occupies the full width of the lot along William Street, which is 11.7 metres. The proposal therefore has a 5.7-metre increase in the width of permitted ground floor uses. Planning Services is satisfied, that in this case, this increase in width of permitted uses is suitable because the restaurant use will provide ground floor animation and the retained heritage façade will continue to provide the varied, historical presentation along the street.

- For a four-storey building, Section 60 (1) and (3) are not applicable.

Section 60 of the Zoning By-law includes the Heritage Overlay provisions. The proposal does not comply with Provision (1) or (3) in this section. Provision (1) states “where a building in an area to which an heritage overlay applies is removed or destroyed it must be rebuilt with the same character and at the same scale, massing volume, floor area and in the same location as existed prior to its removal or destruction”. In this case, the area being rebuilt after the fire is not of the same scale, massing volume, floor area, or in the same location as existed

prior to the fire. Provision (3) addresses the requirements for additions to buildings within the heritage overlay. In this case, the addition is larger and taller than the building that existed at 35 and 37 William Street before the fire and does not comply with this provision.

As per Council's approval on April 8, 2020, Heritage staff and Council have determined that the addition is appropriate and compatible with the ByWard Market Heritage Conservation District. Accordingly, Planning Services staff also agree that this proposal has been designed in a manner that is sensitive to and compatible with the heritage character of the area. The wording of this provision is specific to the four-storey building to ensure the exemption to the heritage overlay is specific to this low-rise form.

Provincial Policy Statement

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

RURAL IMPLICATIONS

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

COMMENTS BY THE WARD COUNCILLOR

Councillor Fleury provided the following comments:

"I am pleased to see the rebuild of 35-37 William St. is moving ahead after the devastating fire that closed the Vittoria Trattoria a long-standing and much appreciated business and sadly many others who were impacted in the Byward Market.

Additionally, as this property is designated under the Ontario Heritage Act and is a part of the Byward Market Heritage Conservation District, I am pleased to see the design proposed respects the HCD.

The proposed expansion will add to the property without impacting the heritage character we see from the street. Importantly, I do not wish to see any additional projections on the roof (other than the mechanical penthouse) – specifically speaking, any snow walls – which would negatively impact the look and feel of this property we have worked hard to preserve.

In addition to respecting the HCD, it is essential to see that the new building offers modern accessibility features.

Ultimately, we are ecstatic to see a rebuilding and an opportunity for Vittoria Trattoria to re-open for everyone to enjoy!"

LEGAL IMPLICATIONS

There are no legal impediments to implementing the recommendations of this report.

RISK MANAGEMENT IMPLICATIONS

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

ACCESSIBILITY IMPACTS

The new building will be required to meet the accessibility criteria contained within the Ontario Building Code. The *Accessibility for Ontarians with Disabilities Act* requirements for site design will also apply.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priority:

- Sustainable Infrastructure: the proposal introduces new restaurant and hotel uses within the central area that is already serviced, ensuring sustainable infrastructure investment to meet the future growth and service needs of the city

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-20-0006) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications due to a number of proposal revisions and pandemic-related workload and workplace adjustments.

SUPPORTING DOCUMENTATION

Document 1 Location Map and Zoning Key Plan

Document 2 Details of Recommended Zoning

Document 3 Proposed Zoning Schedule

Document 4 Conceptual Renderings and Site Plan

Document 5 Consultation Details

CONCLUSION

The Planning, Infrastructure and Economic Development Department supports the proposed Zoning By-law amendment to permit a four-storey mixed-use building with hotel and restaurant uses. The four-storey massing of the proposal offers a transition in height from the two-storey frontage along William Street to a three- and four-storey element further setback from the street. The redevelopment will contribute to the long-term prosperity of a vibrant ByWard Market with at-grade animation along William Street and a hotel use and is designed to be compatible with the heritage character of the area. As such, the requested Zoning By-law amendment represents good planning and the department recommends the requested amendments be approved.

DISPOSITION

Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Krista O'Brien, Program Manager, Tax Billing and Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

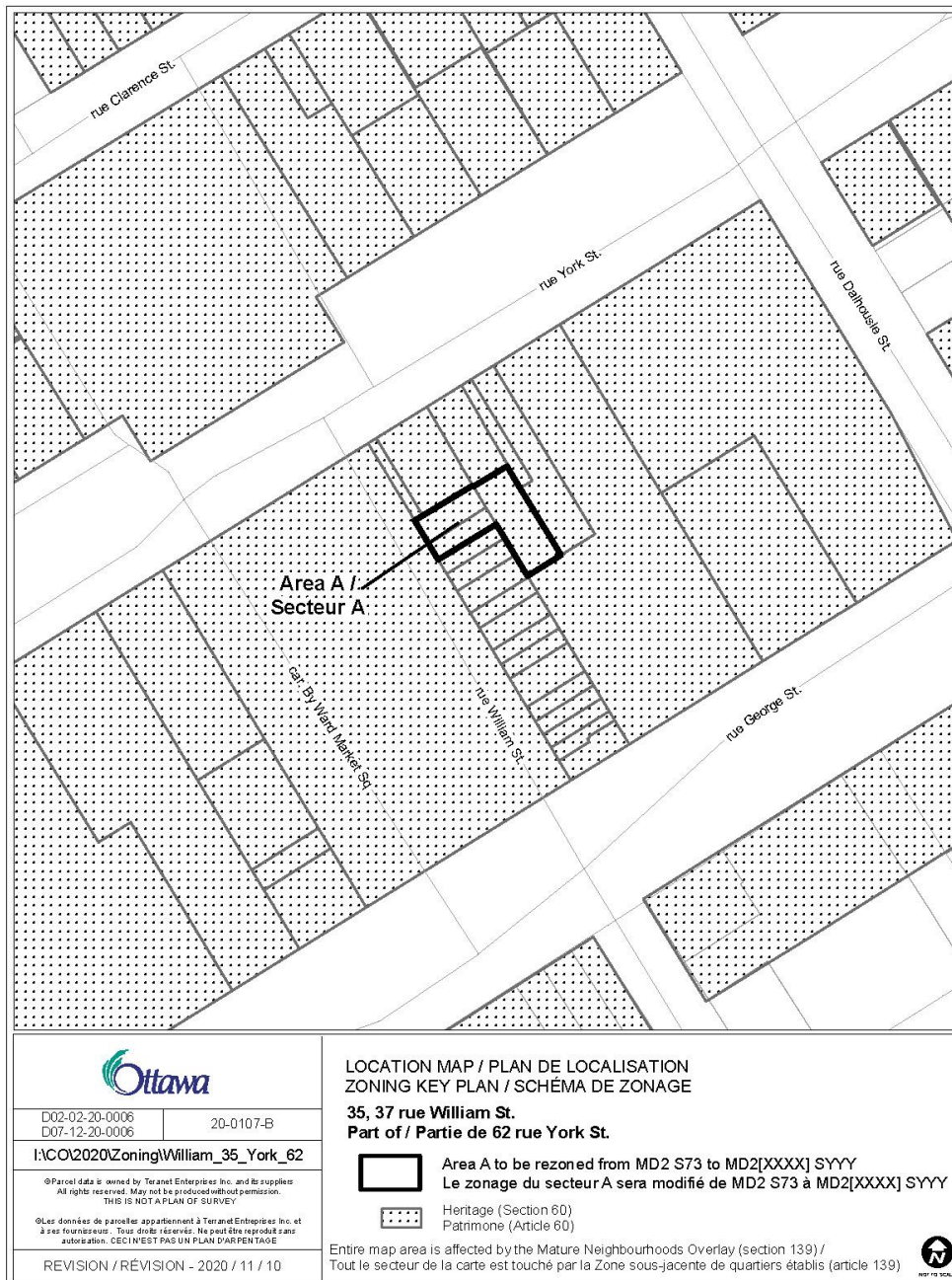
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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

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

Document 1 – Location Map and Zoning Key Plan

For an interactive Zoning map of Ottawa visit [geoOttawa](https://geoottawa.com). The site is located in the Lowertown neighbourhood, on the east side of William Street, between York Street to the north and George Street to the south.

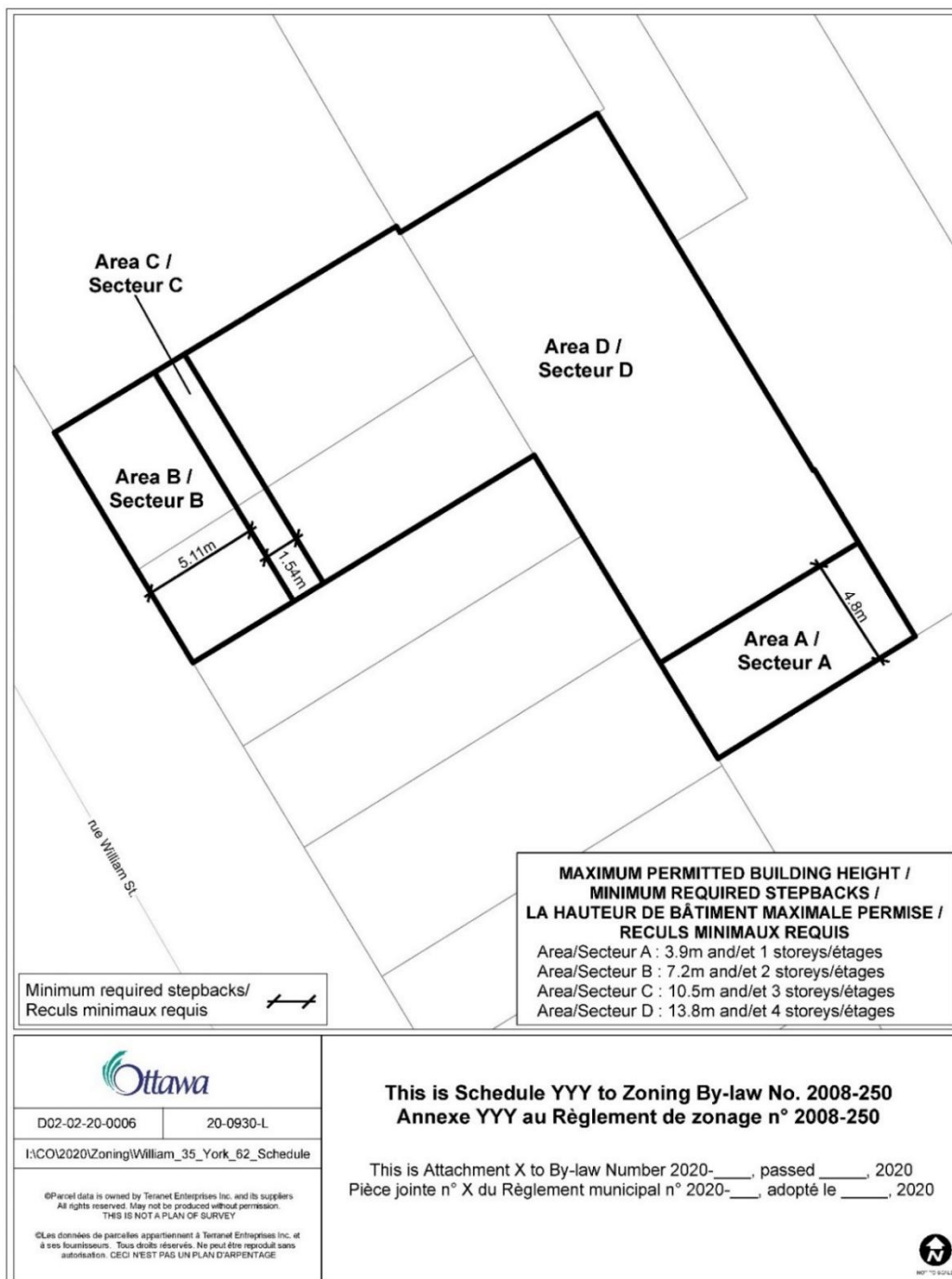


Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 35 and 37 William Street and 62 York Street, as shown on Document 1, is as follows:

1. Rezone the lands shown in Document 1 from MD2 S73 to MD2[XXXX] SYYY.
2. Amend Section 239, Urban Exceptions, by adding a new exception [XXXX], with provisions similar in effect to the following:
 - a. In column II add the text: MD2[XXXX] SYYY
 - b. In column V add the following text:
 - i. Schedule 73 does not apply, and maximum building height is as per SYYY.
 - ii. A mechanical and service equipment penthouse and elevator or stairway penthouses may project a maximum of 3.0 metres above the permitted height limits established in SYYY and be setback a minimum of 6.6 metres from the fourth floor William Street façade.
 - iii. The maximum width of any permitted uses on the ground floor is 11.7 metres.
 - iv. For a four-storey building, Section 60 (1) and (3) are not applicable.
3. Add SYYY as shown in Document 3 to Part 17 – Schedules

Document 3 – Proposed Zoning Schedule



Document 4 – Conceptual Renderings and Site Plan

William Street Views



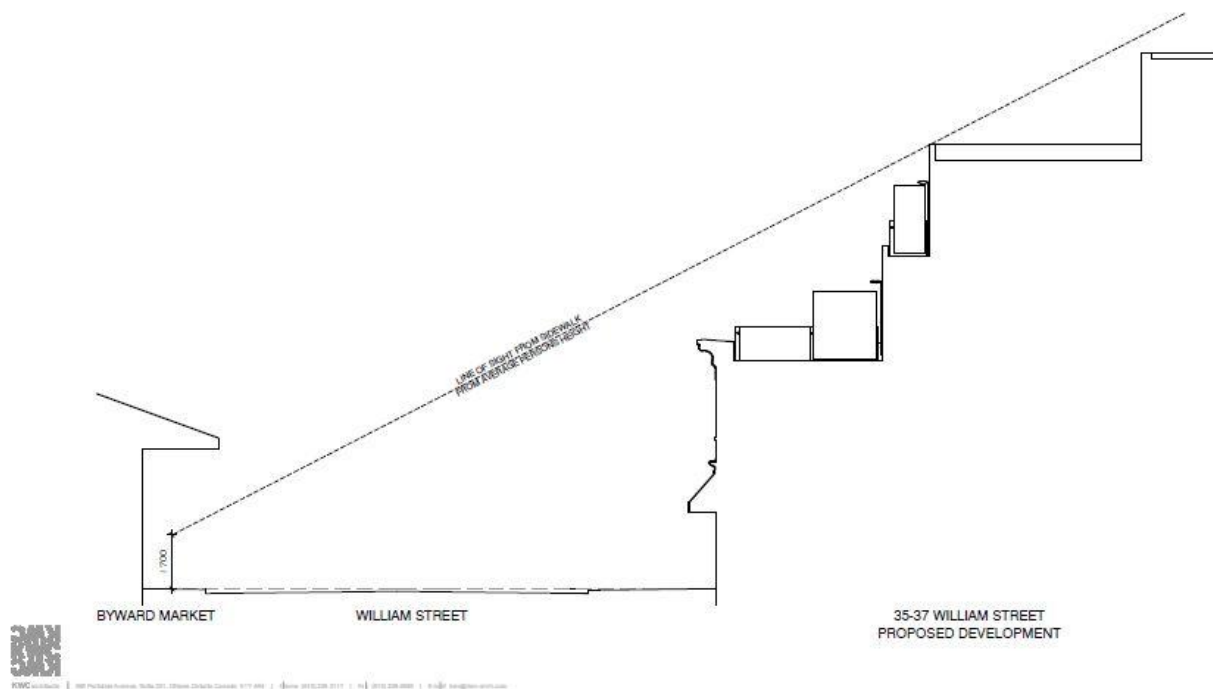
York Street View



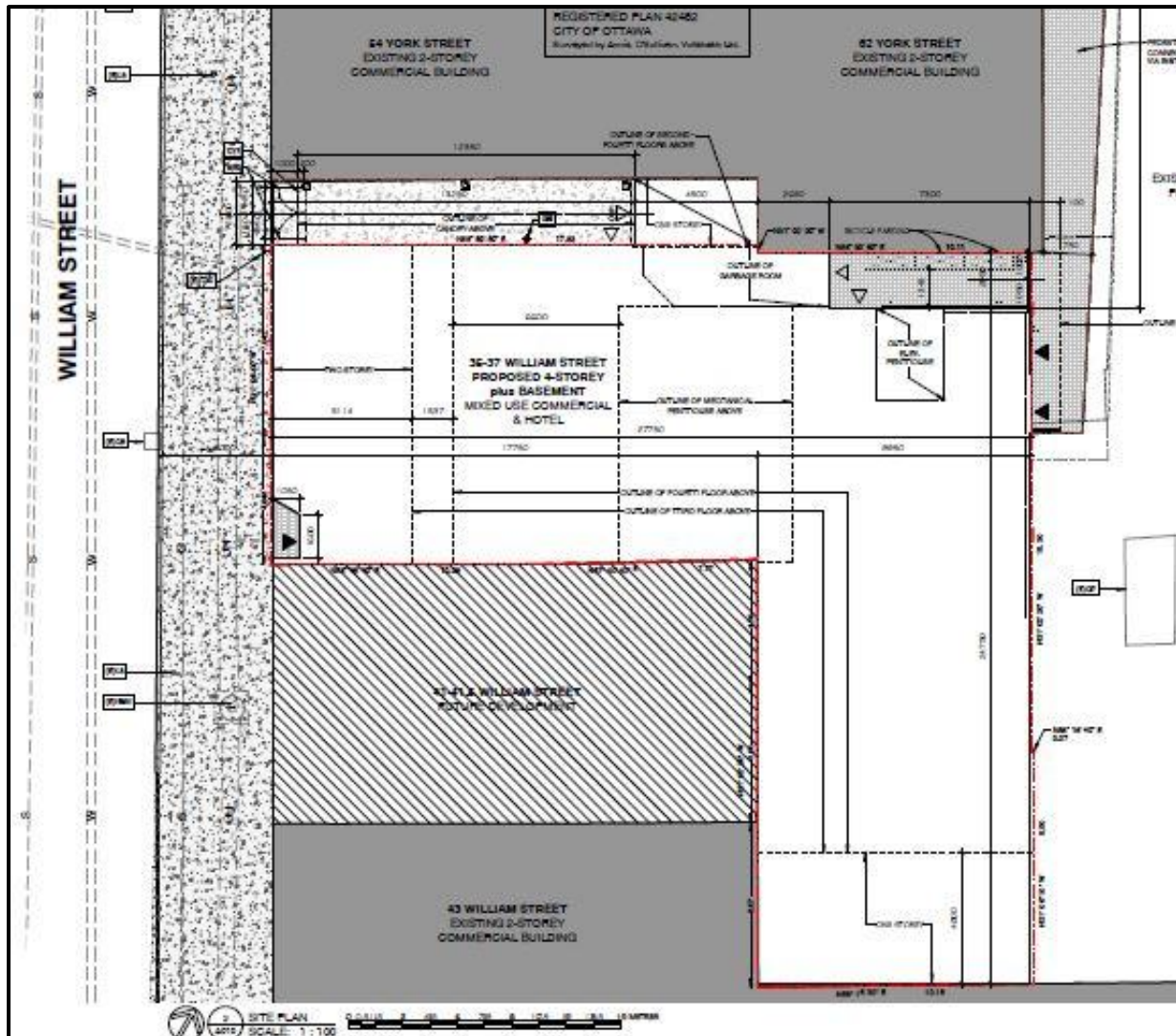
Aerial View



Line of Site Rendering



Site Plan



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.

Three members of the public requested to be informed of Council's decision and one member provided comments.

Public Comments and Responses

Comment: One resident is opposed to the height increase to 13.8 metres. The resident is concerned the proposal will set a new height precedent and that the building would not fit in with the character of the historic ByWard Market area.

Response

Planning Services is satisfied that the proposed four-storey height with the associated stepbacks in massing is compatible with the surrounding context. There are transitions in massing to ensure a sensitive and compatible scale. The addition's third storey is setback approximately 5.0 metres from the front façade, and the fourth storey is setback an additional 1.5 metres. There is also a mechanical penthouse, which is further setback 6.6 metres from the fourth storey William Street façade.

Based on the view analysis provided by the applicant, as well as other required plans and studies, staff concluded the proposed massing will not have an adverse impact on the character of the area and is compatible with the heritage character. The proposed zoning schedule will set out the required stepbacks in massing as well as maximum permitted heights.