

**Subject: Official Plan Amendment and Zoning By-law Amendment - 311  
Somerset Street West and 234-236 O'Connor Street**

**File Number: ACS2022-PIE-PS-0053**

**Report to Planning Committee on 26 May 2022**

**and Council 8 June 2022**

**Submitted on April 11, 2022 by Lily Xu, Acting Director, Planning, Real Estate and  
Economic Development**

**Contact Person: Steve Gauthier, Planner II, Development Review Central**

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**Ward: Somerset (14)**

**Objet : Modification du Plan officiel et Modification du Règlement de zonage  
- 311 Somerset Street West and 234-236 O'Connor Street**

**Dossier : ACS2022-PIE-PS-0053**

**Rapport au Comité de l'urbanisme**

**le 26 mai 2022**

**et au Conseil le 8 juin 2022**

**Soumis le 11 avril 2022 par Lily Xu, Directrice par intérim, Direction générale de la  
planification, des biens immobiliers et du développement économique**

**Personne ressource : Steve Gauthier, urbaniste II, Examen des demandes  
d'aménagement centrale**

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**Quartier : Somerset (14)**

## REPORT RECOMMENDATIONS

1. That Planning Committee recommend Council approve the following:
  - a. Amend the current Official Plan, Volume 2a, Secondary Plans, Centretown Secondary Plan for 311 Somerset Street West and 234-236 O'Connor Street to permit an 18-story mixed use building, as detailed in Document 2a.
  - b. Amend the new Official Plan, Volume 2A, Urban Secondary Plans, Centretown Secondary Plan for 311 Somerset Street West and 234-236 O'Connor Street to permit an 18-story mixed use building, as detailed in Document 2b.
  - c. Amend the Zoning By-law 2008-250 for 311 Somerset Street West and 234-236 O'Connor Street to permit an 18-story mixed use building, as detailed in Documents 3 and 4.
2. That Planning Committee recommend Council that the implementing Zoning By-law does not proceed to Council until such time as an agreement under Section 37 of the *Planning Act* is executed.
3. 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 June 8, 2022," 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 municipal d'approuver ce qui suit :
  - a. Modifier, dans le volume 2A (Plans secondaires) du Plan officiel, le Plan secondaire pour le quartier Centre-ville pour le 311, rue Somerset Ouest et les 234-236, rue O'Connor afin de permettre d'aménager un immeuble polyvalent de 18 étages, selon les précisions reproduites dans la pièce 2a.

- b. **Modifier, dans le volume 2A (Plans secondaires des secteurs urbains) du nouveau Plan officiel, le Plan secondaire pour le quartier Centre-ville pour le 311, rue Somerset Ouest et les 234-236, rue O'Connor afin de permettre d'aménager un immeuble polyvalent de 18 étages, selon les précisions reproduites dans la pièce 2b.**
  - c. **Modifier le *Règlement de zonage n° 2008-250* pour le 311, rue Somerset Ouest et les 234-236, rue O'Connor afin de permettre d'aménager un immeuble polyvalent de 18 étages, selon les précisions reproduites dans les pièces 3 et 4.**
2. **Que le Comité de l'urbanisme recommande au Conseil municipal de ne pas se pencher sur la mise en œuvre du Règlement de zonage tant que l'entente prévue à l'article 37 de la *Loi sur l'aménagement du territoire* n'aura pas été signée.**
  3. **Que le Comité de l'urbanisme approuve l'intégration de la section Détails de la consultation du rapport dans le cadre de la « brève explication » du Résumé des mémoires déposés par écrit et de vive voix, à rédiger par le Bureau du greffier municipal et à soumettre au Conseil municipal dans le rapport intitulé « Résumé des mémoires déposés par écrit et de vive voix par le public sur les questions assujetties aux "explications obligatoires" de la *Loi sur l'aménagement du territoire* à la réunion tenue par le Conseil municipal le 8 juin 2022 », sous réserve des mémoires qui seront déposés entre la publication de ce rapport et la date à laquelle le Conseil municipal rendra sa décision.**

## **EXECUTIVE SUMMARY**

### **Staff Recommendation**

Planning staff recommend approval of the amendment to the Official Plan and the Centretown Secondary Plan for 311 Somerset Street West and 234-236 O'Connor Street to permit an eighteen-story mixed use building containing approximately 156 units.

The proposed Official Plan Amendment would add a site-specific exception policy to the Centretown Secondary Plan for 311 Somerset Street West and 234-236 O'Connor Street.

The proposed Zoning By-law amendment seeks to rezone the entire property to Traditional Mainstreet Zone with a site-specific exception and schedule to address site-specific conditions of development (TM[XXXX]SYYY). The proposed site-specific

provisions would provide relief with regards to the minimum corner side yard and rear yard setbacks, maximum building height, minimum width of landscaped area, and minimum parking requirements.

The following community benefits will be secured through a Section 37 Agreement:

- At the discretion of the Ward Councillor, a cash contribution of \$599,950.69 towards the following:
  - \$549,950.69 to the ward affordable housing fund
  - \$50,000 to future community gardening needs in the ward

All the above money contributions are applicable to Ward 14.

- In addition, the following non-cash contributions will also be provided as part of the Section 37 Agreement and secured through the Section 37 Agreement or the Site Plan Control Agreement, whichever is most appropriate:
  - Publicly accessible bicycle parking
  - Bike repair station
  - 11 EV charging stations (5 available to visitors)
  - Energy efficient building technologies and techniques that will exceed the energy efficiency levels established in the National Energy Code for a building of this type by 25%
  - One (1) large piece or three (3) smaller pieces of public art (along O'Connor, corner of O'Connor and Somerset, and along Somerset)
  - Seven (7) large units (2-bedroom plus convertible den)

## **Applicable Policy**

### Current Official Plan

#### Section 3.6.3 - Mainstreets

This section states that the Mainstreet designation identifies streets that offer significant opportunities for intensification through medium-density and mixed-use development, along streets that are Transit Priority Corridors or are well-served by transit. The objective of the Mainstreet designation is to encourage more dense and mixed-use development that supports, and is supported by, increased walking, cycling and transit use.

## New Official Plan

### Section 5.1 – Downtown Core Transect

The Downtown Core is a mature built environment whose urban characteristics of high-density, mixed uses and sustainable transportation orientation are to be maintained and enhanced.

### Section 6.2 – Corridors

This designation applies to bands of land along specified streets, whose planned function combines a higher density of development, a greater degree of mixed uses and a higher level of street transit service than abutting Neighbourhoods, but lower density than nearby Hubs.

## Current Centretown Secondary Plan

### 3.9.2 Northern Character Area

The predominant land use designation in the Northern Character Area is Apartment Neighbourhood. This designation permits apartment buildings and townhouses as well as public open spaces. Small-scale, neighbourhood-oriented commercial uses are also permitted. Non-residential uses are restricted to the first two floors of a building.

### 3.9.4 Central Character Area

Traditional Mainstreet – This applies to the properties fronting Bank Street, Elgin Street and a portion of Somerset Street, where active uses such as retail shall be required on the ground floors of buildings fronting the street and a continuous streetwall shall be maintained. Retail shall also be permitted on the second floor; otherwise, upper floors shall be occupied by residential, or office uses.

### Schedule H1 - Land Use and H2 - Maximum Building Heights

The lands are subject to two (2) separate land use designations in Schedule H1. The lots municipally known as 311 Somerset Street West and 236 O'Connor are designated "Traditional Mainstreet" with a maximum height permitted of nine (9) storeys while 234 O'Connor Street is designated "Apartment Neighbourhood" with a maximum height permitted of sixteen (16) storeys on Schedule H2.

## New Central and East Downtown Core Secondary Plan

### 4.4.9 (41) Land Use and Site Development - Centretown North Character Area

Buildings of varying heights shall be encouraged in the North Character Area. High-rises are to achieve a transition to the mid-rise and low-rise areas to the south. Proposals for development in the North Character Area shall be guided by the Built Form Guidelines in the Centretown CDP.

#### 4.4.9 (46) Land Use and Site Development - Centretown Central Character Area

A variety of mid-rise and low-rise buildings shall be encouraged in the Centretown Central Character Area. Maximum heights of up to nine storeys are permitted. Where a building greater than six storeys is proposed adjacent to a property where the maximum height is four storeys or adjacent to built heritage resources, a stepping of heights or increased setbacks should be provided to achieve an appropriate transition.

#### Schedule B - Designation Plan and Schedule C - Maximum Building Heights

The lands are subject to two (2) separate land use designations in Schedule B. The lots municipally known as 311 Somerset Street West and 236 O'Connor are designated "Corridor" with a maximum height permitted of nine (9) storeys while 234 O'Connor Street is designated "Park" on Schedule C.

### **Public Consultation/Input**

The applicant presented his proposal at a public information session held on December 15, 2021. The session was organized by Councillor McKenney who attended with his office, along with the local community, the development team, and City staff.

### **SYNTHÈSE ADMINISTRATIVE**

#### **Recommandation du personnel**

Le personnel des Services de planification recommande d'approuver la modification à apporter au Plan officiel et au Plan secondaire pour le quartier Centre-ville pour le 311, rue Somerset Ouest et les 234-236, rue O'Connor afin de permettre d'aménager un immeuble polyvalent de 18 étages et d'environ 156 logements.

La modification que l'on propose d'apporter au Plan officiel viendrait ajouter une politique sur les exceptions propres au site dans le Plan secondaire pour le quartier Centre-ville pour le 311, rue Somerset Ouest et les 234-236, rue O'Connor.

La modification que l'on propose d'apporter au *Règlement de zonage* vise à rezoner toute la propriété pour qu'elle relève de la zone de rue principale traditionnelle, sous réserve d'une exception propre au site et d'une annexe faisant état des conditions propres au site pour l'aménagement (TM[XXXX]SYYY). Les dispositions propres au site et proposées apporteraient un allègement des conditions relatives aux retraits

minimums des cours latérales d'angle et des cours arrière, à la hauteur maximum des bâtiments, à la largeur minimum de la superficie paysagée et aux exigences relatives au nombre minimum de places de stationnement.

L'entente prévue à l'article 37 apporterait les avantages suivants à la collectivité :

- À la discrétion de la conseillère du quartier, un apport en espèces de 599 950,69 \$, soit :
  - 549 950,69 \$ pour le fonds propre au quartier et destiné au logement abordable;
  - 50 000 \$ pour les besoins projetés en jardins communautaires du quartier.

La totalité de cet apport financier s'applique au quartier 14.

- En outre, les apports en nature suivants sont également prévus dans le cadre de l'entente à conclure en vertu de l'article 37 et sont garantis grâce à cette entente ou, si elle est plus appropriée, à la convention sur la réglementation du plan d'implantation :
  - places de stationnement pour vélos publiquement accessibles;
  - station de réparation de vélos;
  - 11 bornes de recharge pour les véhicules électriques (cinq pour les visiteurs);
  - technologies et techniques des bâtiments écoénergétiques qui dépassent de 25 % les niveaux d'efficacité énergétique établis dans le Code national de l'énergie pour les bâtiments de ce type;
  - une (1) œuvre d'art public de grande taille ou trois (3) de plus petites tailles (rue O'Connor, angle de la rue O'Connor et de la rue Somerset Ouest et une troisième sur la rue Somerset Ouest);
  - sept (7) grands logements (deux chambres à coucher et coin détente convertible).

### **Politique applicable**

Version actuelle du Plan officiel

Sous-section 3.6.3 – Rue principale

Cette section précise que la désignation de rue principale vise les rues qui offrent d'importantes possibilités de densification grâce à des aménagements polyvalents de densité moyenne, le long des rues qui sont des couloirs prioritaires pour les transports en commun ou qui sont bien servies par les transports en commun. La désignation de rue principale a pour objet d'encourager les aménagements plus denses et polyvalents, qui favorisent et que favorise l'augmentation des déplacements à pied, à vélo et dans les transports en commun.

### Nouveau Plan officiel

#### Sous-section 5.1 – Transect du cœur du centre-ville

Le cœur du centre-ville est un environnement bâti mature, dont il faut préserver et rehausser les caractéristiques urbaines de la forte densité, de la mixité des aménagements et de l'orientation dans le transport durable.

#### Sous-section 6.2 – Couloirs

Cette désignation s'applique aux bandes de terrains longeant les rues précisées dont la fonction planifiée regroupe une plus grande densité d'aménagement, un degré supérieur de mixité dans l'aménagement du territoire et un niveau supérieur de service de transport en commun sur rue par rapport aux quartiers voisins, mais une moindre densité par rapport aux nœuds rapprochés.

### Plan secondaire pour le quartier Centre-ville

#### 3.9.2 Secteur pittoresque nord

Dans le secteur pittoresque nord, les aménagements du territoire portent surtout la désignation de quartier d'immeubles d'appartements. Cette désignation permet de construire des immeubles d'appartements et des maisons en rangée, en plus d'aménager des espaces verts publics. Les aménagements commerciaux de quartier à petite échelle sont également autorisés. Les aménagements non résidentiels sont limités aux deux premiers étages des immeubles.

#### 3.9.4 Secteur pittoresque du centre

Rue principale traditionnelle – Cette désignation s'applique aux propriétés qui donnent sur la rue Bank, sur la rue Elgin et sur une partie de la rue Somerset, dans lesquelles il faudra prévoir des aménagements actifs comme les commerces de détail au rez- de- chaussée des immeubles donnant sur la rue et préserver un mur urbain continu. Les commerces de détail seront également autorisés à l'étage; toutefois, les



étages supérieurs devront être consacrés à des aménagements résidentiels ou à des bureaux.

Annexe H1 (Aménagement du territoire) et annexe H2 (Hauteurs maximums des bâtiments)

Les terrains font l'objet de deux (2) désignations distinctes, dans l'annexe H1, pour les besoins de l'aménagement du territoire. Les lots portant les adresses municipales 311, rue Somerset Ouest et 236, rue O'Connor portent la désignation de « rue principale traditionnelle », dont la hauteur maximum permise est de neuf (9) étages, alors que le 234, rue O'Connor porte la désignation de « quartier d'immeubles d'appartements », dont la hauteur maximum permise est de seize (16) étages selon l'annexe H2.

#### Nouveau Plan secondaire du cœur du centre-ville du secteur central et du secteur est

4.4.9 41) Aménagement du territoire et aménagement des sites – secteur pittoresque du nord du centre-ville

Les bâtiments de hauteurs différentes sont encouragés dans le secteur pittoresque du nord du centre-ville. Les bâtiments de grande hauteur doivent assurer une transition avec les secteurs de moyenne hauteur et de faible hauteur dans le sens sud. Les propositions d'aménagement dans le secteur pittoresque du nord du centre-ville doivent être guidées par les lignes directrices relatives à la forme bâtie dans le PCC du centre-ville.

4.4.9 46) Aménagement du territoire et aménagement des sites – secteur pittoresque du centre du centre-ville

On encourage l'aménagement de différents immeubles de faible et de moyenne hauteurs dans le secteur pittoresque du centre-ville. Les hauteurs maximums de 9 étages sont autorisées. Lorsqu'un bâtiment de plus de 6 étages est proposé à côté d'une propriété dont la hauteur maximum est de 4 étages ou à côté de ressources du patrimoine bâti, il convient de prévoir un échelonnement des hauteurs ou des marges de reculement plus importantes pour assurer une transition appropriée.

Annexe B (Plan de désignation) et annexe C (Hauteurs maximums des bâtiments)

Les terrains font l'objet de deux (2) désignations distinctes pour les besoins de l'aménagement du territoire dans l'annexe B. Les lots portant les adresses municipales 311, rue Somerset Ouest et 236, rue O'Connor portent la désignation de « couloirs », selon laquelle la hauteur maximum permise est de neuf (9) étages, alors que le 234, rue O'Connor porte la désignation de « parc » dans l'annexe C.



## **Consultation publique et commentaires**

Le requérant a présenté sa proposition à l'occasion d'une séance d'information publique qui a eu lieu le 15 décembre 2021. Cette séance a été organisée par Catherine McKenney, conseillère municipale, qui y a participé avec le personnel de son bureau, la collectivité locale, l'équipe chargée des travaux d'aménagement et le personnel de la Ville.

## **BACKGROUND**

### **Site location**

311 Somerset Street West and 234-236 O'Connor Street.

### **Owner**

Gemstone Corporation

### **Applicant**

Tim Beed – Fotenn Planning + Design

### **Description of site and surroundings**

The subject property is located in the Somerset Ward of the City of Ottawa. It comprises the corner block fronting O'Connor Street to the east and Somerset Street West to the South. The property has 31 metres of frontage along Somerset Street West and 45 metres of frontage along O'Connor Street with a total combined area of approximately 1,373 square metres. The subject property is currently vacant of structures and is used for a commercial surface parking lot.

### **Summary of requested Official Plan Amendment**

Current Centretown Secondary Plan

The proposed Official Plan Amendment (OPA) would add a site-specific exception for 311 Somerset Street West and 234-236 O'Connor Street, more specifically to Schedules H1 and H2. The OPA would amend the land use designation of Schedule H1 to designate the entire property as "Traditional Mainstreet" and amend the maximum height provisions of Schedule H2 to permit eighteen (18) storeys on the entirety of the lands.

New Central and East Downtown Core Secondary Plan

The proposed Official Plan Amendment (OPA) would add a site-specific exception for 311 Somerset Street West and 234-236 O'Connor Street, more specifically to

Schedules B and C. The OPA would amend the land use designation of Schedule B to designate the entire property as “Corridor” and amend the maximum height provisions of Schedule C to permit eighteen (18) storeys on the entirety of the lands.

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

The subject property is currently split-zoned. The property located at 234 O’Connor is zoned “Residential Fifth Density, Subzone B, with a Maximum Floor Space Index of 3.0 (R5B[482] F3.0) and 311 Somerset Street West and 236 O’Connor Street zoned “Traditional Mainstreet”, Exception 2185 (TM[2185]). The Heritage Overlay applies to both properties.

The proposed Zoning By-law Amendment proposes to amend the zoning of the subject property to “Traditional Mainstreet with an Exception and Schedule (TM[XXXX] S(YYY))”. The schedule will establish permitted building heights, required setbacks and required stepbacks, while the exception will provide the necessary relief from specific provisions of the current zone. The reliefs would be as follows:

- Reduction in the required parking to allow a rate of 0.3 per dwelling unit.
- To permit stacked bicycle parking.
- Reduction in the required landscaping and buffer along the rear and interior property line.
- Removal of the Maximum Floor Space Index.
- Exemption from the Heritage Overlay.

### **Brief history of proposal**

The property Owner initially proposed 140 units over 16 storeys. Following the circulation period, several discussions with staff, two visits to the Urban Design Review Panel, the proposal was revised to 156 units over 18 storeys but removed a massive mid-section at floors four to nine. The initial proposal was not providing any tower stepback to the north where existing low density residential uses are located. The revised proposal now features a 4-storey podium, which respects a datum line projected from an existing 4-storey office building to the north-east of the intersection of Somerset and Bank. It also features a 6.5 metres tower stepback along Somerset, an increased westerly tower stepback, and a 1.5 metres tower stepback to the north. A total of 65 parking spaces will be provided, 14 of which are for visitors. A bicycle parking rate of one space per unit will be provided.

## **DISCUSSION**

### **Public Consultation**

The applicant presented his proposal at a public information session held on December 15, 2021. The session was organized by Councillor McKenney who attended with his office, along with the local community, and City staff.

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

### **Official Plan designation(s) and policies**

#### **Current Official Plan**

##### Section 2.2.2 - Managing Intensification Within the Urban Area

Policy 10 under Intensification and Building Height states that intensification may occur in a variety of built forms from low-rise to high-rise provided urban design and compatibility objectives are met. Denser development, that often means taller buildings, should be located in areas that support the Rapid Transit and Transit Priority networks and in areas with a mix of uses. Building heights and densities for different areas may be established through this plan or a secondary plan and will be implemented through zoning.

##### Section 2.5.1 - Designing Ottawa

This Section of the Official Plan provides general direction, through City-wide objectives and high-level policies, for the implementation of quality urban design within target areas. The intent of these objectives and policies is to ensure that areas targeted for growth can appropriately evolve over time while ensuring a compatible relationship with the character of established surrounding development.

The design objectives to guide how the City wants to influence the built environment as the city matures and evolves are:

1. To enhance the sense of community by creating and maintaining places with their own distinct identity.
2. To define quality public and private spaces through development.
3. To create places that are safe, accessible and are easy to get to, and move through.
4. To ensure that new development respects the character of existing areas.

5. To consider adaptability and diversity by creating places that can adapt and evolve easily over time and that are characterized by variety and choice.
6. To understand and respect natural processes and features in development design.
7. To maximize energy-efficiency and promote sustainable design to reduce the resource consumption, energy use, and carbon footprint of the built environment.

#### Section 2.5.6 – Collaborative Community Building and Secondary Planning Processes

Policy 13 states that the City intends that the highest density of development, including High-rise buildings, locate where rapid transit is being provided. Secondary plans and community design plans should locate high-rise buildings proximate to rapid transit stations to support that objective. High-rise buildings are also a built form that requires detailed attention to urban design and their impacts on the existing communities into which they are located. Building design and appropriate transitions, such as those identified in Section 4.11, should be provided to reduce impacts on existing developed areas.

#### Section 3.6.3 - Mainstreets

This section states that the Mainstreet designation identifies streets that offer significant opportunities for intensification through medium-density and mixed-use development, along streets that are Transit Priority Corridors or are well-served by transit. The objective of the Mainstreet designation is to encourage more dense and mixed-use development that supports, and is supported by, increased walking, cycling and transit use.

#### Section 4.11 – Urban Design and Compatibility

Policy 12 states that transition refers to the integration of buildings that have greater height or massing than their surroundings. Transition is an important building design element to minimize conflicts when development that is higher or has greater massing is proposed abutting established or planned areas of Low-Rise development. Proponents for developments that are taller in height than the existing or planned context or are adjacent to a public open space or street shall demonstrate that an effective transition in height and massing, that respects the surrounding planned context, such as a stepping down or variation in building form has been incorporated into the design.

Policy 14 states that High-Rise Buildings are a form of high-density development that can contribute to intensification, housing and employment opportunities and provide new view, skyline and landmark possibilities. The proposed High-Rise buildings will

substantially contribute to intensification and housing opportunity and will provide a new landmark.

Policy 15 states that the base of a high-rise building should respect the scale, proportion, and character of the surrounding buildings, adjacent streets, parks, and public or private open spaces and animate such spaces. It also states that the tower design can reduce building impacts by incorporating an appropriate separation from existing or future adjacent towers located on the same lot or on an adjacent lot. It recommends a minimum separation distance of 23 metres to be shared between owners of abutting properties, which distance may be increased for towers with large floorplates.

### **New Official Plan**

#### Section 5.2 - Inner Urban Transect

The subject site is located in the Downtown Core Transect under Schedule A – Transect Policy Areas. The Downtown Core is a mature built environment whose urban characteristics of high-density, mixed uses and sustainable transportation orientation are to be maintained and enhanced.

#### Section 6.2 - Corridors

This designation applies to bands of land along specified streets, whose planned function combines a higher density of development, a greater degree of mixed uses and a higher level of street transit service than abutting Neighbourhoods, but lower density than nearby Hubs.

### **Current Centretown Secondary Plan**

#### 3.9.2 Northern Character Area

The predominant land use designation in the Northern Character Area is Apartment Neighbourhood. This designation permits apartment buildings and townhouses as well as public open spaces. Small-scale, neighbourhood-oriented commercial uses are also permitted. Non-residential uses are restricted to the first two floors of a building.

#### 3.9.4 Central Character Area

Traditional Mainstreet – This applies to the properties fronting Bank Street, Elgin Street and a portion of Somerset Street, where active uses such as retail shall be required on the ground floors of buildings fronting the street and a continuous street wall shall be maintained. Retail shall also be permitted on the second floor; otherwise, upper floors shall be occupied by residential, or office uses.

## Schedule H1 - Land Use and H2 - Maximum Building Heights

The lands are subject to two (2) separate land use designations in Schedule H1. The lots municipally known as 311 Somerset Street West and 236 O'Connor are designated "Traditional Mainstreet" with a maximum height permitted of nine (9) storeys while 234 O'Connor Street is designated "Apartment Neighbourhood" with a maximum height permitted of sixteen (16) storeys on Schedule H2.

### **New Central and East Downtown Core Secondary Plan**

#### 4.4.9 (41) Land Use and Site Development - Centretown North Character Area

Buildings of varying heights shall be encouraged in the North Character Area. High-rises are to achieve a transition to the mid-rise and low-rise areas to the south. Proposals for development in the North Character Area shall be guided by the Built Form Guidelines in the Centretown CDP.

#### 4.4.9 (46) Land Use and Site Development - Centretown Central Character Area

A variety of mid-rise and low-rise buildings shall be encouraged in the Centretown Central Character Area. Maximum heights of up to nine storeys as permitted. Where a building greater than six storeys is proposed adjacent to a property where the maximum height is four storeys or adjacent to built heritage resources, a stepping of heights or increased setbacks should be provided to achieve an appropriate transition.

## Schedule B - Designation Plan and Schedule C - Maximum Building Heights

The lands are subject to two (2) separate land use designations in Schedule B. The lots municipally known as 311 Somerset Street West and 236 O'Connor are designated "Corridor" with a maximum height permitted of nine (9) storeys while 234 O'Connor Street is designated "Park" on Schedule C.

### **Centretown Community Design Plan**

Same as for the Secondary Plan, the lands are subject to two (2) separate land use designations. The lots municipally known as 311 Somerset Street West and 236 O'Connor are designated "Traditional Mainstreet" with a maximum height permitted of nine (9) storeys while 234 O'Connor Street is designated "Apartment Neighbourhood" with a maximum height permitted of sixteen (16) storeys.

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

Urban Design Guidelines for Development along Traditional Mainstreets



These guidelines serve to provide urban design guidance to assess, promote and achieve appropriate development along Traditional Mainstreets with the objective to:

- Promote development that will enhance and reinforce the recognized or planned scale and character of the street;
- Promote development that is compatible with, and complements its surroundings;
- Achieve high-quality built form and strengthen building continuity along Traditional Mainstreets;
- Foster compact, pedestrian-oriented development that is linked to street-level amenities; and
- Accommodate a broad range of uses including retail, services commercial uses, offices, residential and institutional uses where one can live, shop and access amenities.

More specifically, these guidelines recommend aligning street wall buildings, the use of periodic breaks in the street wall, creating attractive public and semi-public spaces, respect the rhythm and pattern of the existing or planned buildings, ensuring sufficient light and privacy for properties to the rear, highly transparent facades, active pedestrian-oriented uses at-grade, and setting back the upper floors of taller buildings.

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

These guidelines recommend enhancing and creating the overall pedestrian experience in the immediate surrounding public spaces, enhancing and creating the image of a community and a city, designing the lower portion of the buildings to support human-scale, creating sufficient separation between towers, locating active uses along the street façade, and providing public spaces that provide direct connections to the surrounding public streets, pathways, parks, and open spaces.

#### **Urban Design Review Panel**

The property is within a Design Priority Area (DPA). The Formal Review took place on May 7, 2021. The Panel's recommendations can be found in Document 8.

The Urban Design Panel indicated a very strong concern with the proposed mass, the adjacency issues that it causes, and the disregard for the area plans, Community Design Plan and High-Rise Guidelines. The Panel questioned the tripartite expression with particular concerns expressed on the massing of floors 4 to 9. It was recommended that a high-rise building is not an appropriate built form for this site. The Panel was

generally supportive of the base of the building and the evolution of the proposed public realm.

The Panel also indicated that should the tower typology be deemed appropriate by City staff, significant changes should be made to reduce the mass and design of the middle portion and the tower, as the current composition is overwhelming.

## **Planning rationale**

### **Current Official Plan**

The Official Plan directs high-rise buildings to the nodes and corridors where intensification is expected and encouraged, including some locations along the Arterial Mainstreets.

### **Section 2.2.2 – Managing Intensification Within the Urban Area**

Policy 10 states that denser development, that often means taller buildings, should be located in areas that support the Rapid Transit and Transit Priority networks and in areas with a mix of uses. The site is located within a 700-metre walking distance of a Rapid Transit Station (Parliament), along a Transit Priority Corridor under Schedule D (Somerset), and along an Arterial Road under Schedule E (Somerset). The subject site is located along Somerset Street, between Bank Street and Elgin Street, which offer a variety of retail, restaurants, services, and employment use.

Policy 17 states that for Official Plan amendments to increase building heights that are established in a secondary plan, the proponent must demonstrate that the impacts on the surrounding area have been assessed; that the proposed development supports transit; and that community amenity is provided. The proposed Official Plan Amendment will impose building performance requirements that ensures minimal impacts on the surrounding properties, and which will inform decisions for proper future density increases in the area.

Policy 22 states that intensification that is compatible with the surrounding context will also be supported on brownfield sites, parking lots, and sites that are no longer viable for the purpose for which they were originally used or intended. The majority of the site is presently occupied by a surface parking lot.

### **Section 2.5.1 – Designing Ottawa**

The proposed development will enhance the sense of community by providing semi-private exterior spaces, commercial spaces, street trees, and public art along Somerset and O'Connor. It also considers adaptability and diversity by contributing to the variety

of housing types in providing family-size apartment units. The proposed development will also provide energy efficient building design and functional systems along with electric vehicle charging stations.

#### Section 2.5.6 – Collaborative Community Building and Secondary Planning Processes

With the close proximity of the Parliament LRT station, the proposed development is also consistent with Policy 13 of Section 2.5.6 (Collaborative Community Building and Secondary Planning Processes) which states that the City intends that the highest density of development, including High-rise buildings, be located where rapid transit is being provided. This policy recommends that secondary plans and community design plans should locate high-rise buildings proximate to rapid transit stations to support that objective.

#### Section 3.6.3 – Mainstreets

The proposed development meets the objective of the Mainstreet designation as it will redevelop the existing surface parking lot, which represents most of the property, with a dense development that will be supported by transit use.

#### Section 4.11 – Urban Design and Compatibility

With its meaningful building setbacks to the south, west, and north, and its modest tower footprint of 614 square metres, the proposed development is consistent with Policy 12, which states that proponents for developments that are taller in height than the existing or planned context shall demonstrate that an effective transition in height and massing, such as a stepping down or variation in building form, has been incorporated into the design. It should also be mentioned that a nine-storey built form, as envisioned by the Secondary Plan, likely having a larger building footprint, would be more impactful to the low density residential uses to the north in terms of privacy and sun obstruction. This, given a wider northern building façade could represent more overlooking windows, a longer window of shadowing, and no building setbacks to obstruct the perspective down from higher units to the abutting exterior private amenity areas.

Policy 14 states that High-Rise Buildings are a form of high-density development that can contribute to intensification, housing and employment opportunities and provide new view, skyline and landmark possibilities. The proposed High-Rise buildings will substantially contribute to intensification, housing opportunities, and will provide a new landmark.

Policy 15 states that the base of a high-rise building should respect the scale, proportion, and character of the surrounding buildings, adjacent streets, parks, and

public or private open spaces and animate such spaces. It also states that the tower design can reduce building impacts by incorporating an appropriate separation from existing or future adjacent towers located on the same lot or on an adjacent lot. It recommends a minimum separation distance of 23 metres to be shared between owners of abutting properties, which distance may be increased for towers with large floorplates. Although half of this distance is not being provided on the subject site, it is not expected that the abutting properties to the north and west, which contain low rise buildings designated under the *Ontario Heritage Act*, would redevelop with high rises. This, also given their shallow lot depth would not be conducive to a high rise built form.

The proposed development will provide an element of scale by featuring a 4-storey bricked podium, which respects a datum line projected from an existing 4-storey office building to the north-east of the intersection of Somerset and Bank. There will be two building entrances to the south to maintain the rhythm along Somerset, one for the residential use and the other for a commercial space. The tower will feature stepbacks of 6.5 metres to the south (along Somerset), 3.6 metre to the west, and 1.5 metres to the north. A 4.5 metre building stepback will also be provided to the north, above the parking access enclosure. This will also act as providing privacy for the abutting private exterior amenity areas to the north by obstructing the perspective down from the four-storey podium windows.

## New Official Plan

### Section 5.2 - Downtown Core Transect

The subject site is located in the Downtown Core Transect under Schedule A – Transect Policy Area. The Downtown Core is a mature built environment whose urban characteristics of high-density, mixed uses and sustainable transportation orientation are to be maintained and enhanced. By being located at walkable distance from rapid transit and several bus routes, the proposed mixed-use high-density development is consistent with the intent of the Downtown Core Transect.

## Current Centretown Secondary Plan

### 3.9.2 Northern Character Area

The proposed development is consistent with the Northern Character Area where apartment buildings are permitted and where non-residential uses are restricted to the first two floors of a building.

### 3.9.4 Central Character Area

The proposed development is consistent with the Traditional Mainstreet policies of the Central Character Area where active uses such as retail shall be required on the ground floors fronting the street and where a continuous streetwall shall be maintained. These policies also state that the upper floors shall be occupied by residential, or office uses.

#### Schedule H1 - Land Use and H2 - Maximum Building Heights

The proposed 4-storey podium and the generous 6.5 metre tower stepback will maintain a scale along Somerset that is in keeping with the “Traditional Mainstreet” designation. Although exceeding the maximum height of 16 storeys permitted under the “Apartment Neighbourhood” designation, 14 floors out of 18 are proposed at a modest height of 3 metres. The proposed total height will be equivalent to a 16-storey building with 3.5-metre-high residential floors and a 6-metre-high commercial ground floor. A floor height close to 3.5 metres is common for high rises.

#### New Central and East Downtown Core Secondary Plan

##### 4.4.9 (41) Land Use and Site Development - Centretown North Character Area

The proposed development, by featuring a 4-storey podium and a 6.5 metres tower stepback, is consistent with the Centretown North Character Area where high-rises are expected to achieve a transition to the mid-rise and low-rise areas to the south.

##### 4.4.9 (46) Land Use and Site Development - Centretown Central Character Area

The proposed development is consistent with the Centretown Central Character Area, where a stepping of heights is expected to achieve appropriate transition, by featuring a 4-storey podium and meaningful tower stepbacks to the south, west, and north.

#### Schedule B - Designation Plan and Schedule C - Maximum Building Heights

Although exceeding the maximum height envisioned by the Secondary Plan, the proposed 4-storey podium and the generous 6.5 metre tower stepback will maintain a desirable and appropriate scale along Somerset. The slim tower will also contribute to releasing building mass at the pedestrian scale.

## Zoning By-law

### Built form

To ensure proper integration with its context, the proposed development will feature a 4-storey bricked podium, which respects a datum line projected from an existing 4-storey office building to the north-east of the intersection of Somerset and Bank. The modest 614 square metres tower footprint will be stepped back 6.4 metres on the south (along Somerset), 3.5 metre on the west (next to the designated low rise buildings), and 1.5 metres on the north (also next to designated low rise buildings). A 4.5 metre building stepback will also be provided to the north, above the parking access enclosure. This will provide additional privacy to the abutting exterior private amenity areas to the north by obstructing the perspective down from the four-storey podium windows.

In addition to the above, it should be mentioned that a nine-storey built form, as envisioned by the Secondary Plan, likely having a larger building footprint, would be more impactful to the low density residential uses to the north in terms of privacy and sun obstruction. This, given a wider northern building façade could represent more overlooking windows, a longer window of shadowing, and no building stepbacks to obstruct the perspective downwards from the higher units.

In terms of tower separation, although half of the distance is not being provided on the subject site, it is not expected that the abutting properties to the north and west, which contain low rise buildings designated under the *Ontario Heritage Act*, would redevelop with high rise developments. This, also given their shallow lot depth would not be conducive to a high rise built form.

For all the above reasons, staff is of the opinion that effective measures are being applied to the proposed development to ensure proper integration of the building mass.

### Parking

Staff has no issues with reducing parking requirements as the subject site is located within 700 metre walking distance of a Rapid Transit Station (Parliament), along a Transit Priority Corridor under Schedule D (Somerset), and along an Arterial Road under Schedule E (Somerset). The subject site is also located along Somerset Street, between Bank Street and Elgin Street, which offer a variety of retail, restaurants, services, and employment use. For these reasons, it is expected that future occupants would likely be using modes of transportation other than the automobile.

## Landscaping

A landscape buffer will be provided along the west property line towards the north-west, where there are abutting existing exterior private amenity areas. No landscape buffer is provided along the north property line, but a planter is being proposed above the garage access enclosure. The enclosed garage access located at the property line resulted from discussions with the neighbours, which expressed concerns with gas emissions, noise, and light pollution from cars, and the potential for a concealed area next to their back yard. Staff would like to point out that the enclosed access will improve privacy by obstructing the perspective down to the private back yards from the podium windows.

## Floor Space Index

Staff has no issues with the removal of the Floor Space Index as a height schedule will now be applied to impose building performance (setbacks and stepbacks) to ensure proper infill development.

## Heritage Overlay

Given the properties are designated as part of the Centretown Heritage Conservation District (HCD) under Part V of the *Ontario Heritage Act*, Heritage staff was involved throughout the Official Plan and Zoning By-law Amendments processes.

Heritage staff presented a recommendation for approval on May 10, 2022, indicating that the proposal meets the applicable heritage guidelines of the Centretown HCD study and Parks Canada's Standards and Guidelines. They also indicated that the new construction will make a positive contribution to the streetscape in this section of Somerset Street West and will result in the removal of unattractive and under-developed vacant lots.

## Urban Design Guidelines

The proposed development is also consistent with the guidelines relating to Development along Traditional Mainstreets in that it will provide two main entrances to the building, commercial spaces at grade, semi-private exterior spaces, street trees, and public art along Somerset Street.

The proposed development is also consistent with the guidelines relating to High-Rise Buildings in that it will ensure proper integration by featuring a 4-storey bricked podium, a modest 614 square metres tower footprint, and meaningful building stepbacks to reflect the scale of the surrounding built forms.

## Section 37 Agreement

Pursuant to Section 37 of the *Planning Act*, the City may authorize increases in the height and density of development above the levels otherwise permitted by the Zoning By-law, in return for the provision of community benefits. The Official Plan (Section 5.2.1.11) states that limited increases will be permitted in return for the provision of community benefits as set out in the Zoning By-law, which shall be secured through an agreement registered on title, as per the *Planning Act*. The project must represent good land use planning.

The proposed development seeks an increase in gross floor area of 4,637.3 square metres, and an increase in height from 20 metres (6 storeys) to 58.2 metres (18 storeys). The proposed Gross Floor Area is more than 25 per cent of the permitted as of right. As such, the owner is required to provide a Section 37 contribution.

As set out in the Council-approved Section 37 Guidelines, the Ward Councillor, in consultation with the local community, will identify potential benefits to be considered for inclusion in a Section 37 By-law and Agreement. Council will then give approval to the contributions and associated community benefits being secured as part of the approval of the zoning changes for increased density and height.

In accordance with the Council-approved guidelines, the combined benefits to be secured and provided through a Section 37 Agreement are:

- At the discretion of the Ward Councillor, a cash contribution of \$599,950.69 towards the following:
  - \$549,950.69 to the ward affordable housing fund
  - \$50,000 to future community gardening needs in the ward

All the above money contributions are applicable to Ward 14.

- In addition, the following non-cash contributions will also be provided as part of the Section 37 Agreement and secured through the Section 37 Agreement or the Site Plan Control Agreement, whichever is most appropriate:
  - Publicly accessible bicycle parking
  - Bike repair station
  - 11 EV charging stations (5 available to visitors)



- Energy efficient building technologies and techniques that will exceed the energy efficiency levels established in the National Energy Code for a building of this type by 25%
- One (1) large piece or three (3) smaller pieces of public art (along O'Connor, at the corner of O'Connor and Somerset, and along Somerset)
- Seven (7) large units (2-bedroom plus convertible den)

The details of the Section 37 contributions are also contained within the Zoning By-law amendment (see Document 3). The total community benefits listed above will be secured through the Section 37 Agreement or the Site Plan Control Agreement, the financial payment shall be provided prior to the issuance of the first building permit and should affordable housing be provided, it shall be secured through the Site Plan Control process and an affordable housing agreement. Details on the final Section 37 contribution will be indexed in accordance with the Statistics Canada Construction Price Index for Ottawa that applies to the type of community benefit being secured, calculated from the date of the Section 37 agreement to the date of payment. The implementing Zoning By-law will not proceed to City Council until such time as the agreement under Section 37 of the *Planning Act* is executed.

### **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 this report.

### **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.

As previously mentioned, the applicant presented his proposal at a public information session held on December 15, 2021. The session was organized by Councillor McKenney who attended with his office, along with the local community, the development team, and City staff.

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

## **COMMENTS BY THE WARD COUNCILLOR**

Councillor McKenney is aware of the report.

## **ADVISORY COMMITTEE(S) COMMENTS**

No comments were received from Advisory Committees.

## **LEGAL IMPLICATIONS**

In the event the recommendations are adopted and the resulting official plan amendment and zoning by-law are appealed to the Ontario Land Tribunal, it is expected that a three day hearing would be required. It is anticipated that the hearing could be conducted within staff resources. Should the applications be refused, reasons must be provided. An external planner would need to be retained by the City.

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

## **ASSET MANAGEMENT IMPLICATIONS**

No asset management implications are foreseen apart from the improvement of the rear lane, which is to be upgraded to a woonerf as part of the proposed development.

## **FINANCIAL IMPLICATIONS**

In accordance with the Council-approved guidelines, the combined benefits to be secured and provided through a Section 37 Agreement are:

- At the discretion of the Ward Councillor, a cash contribution of \$599,950.69 towards the following within Ward 14. The contribution shall be provided prior to the issuance of the first building and will be indexed in accordance with the Statistics Canada Construction Price Index for Ottawa that applies to the type of community benefit being secured, calculated from the date of the Section 37 agreement to the date of payment.
  - \$549,950.69 to the ward affordable housing fund
  - \$50,000 to future community gardening needs in the ward
- In addition, the following non-cash contributions will also be provided as part of the Section 37 Agreement and secured through the Section 37 Agreement or the Site Plan Control Agreement and or affordable housing agreement, whichever is/are most appropriate.

- Publicly accessible bicycle parking
- Bike repair station
- 11 EV charging stations (5 available to visitors)
- Energy efficient building technologies and techniques that will exceed the energy efficiency levels established in the National Energy Code for a building of this type by 25%
- One (1) large piece or three (3) smaller pieces of public art (along O'Connor, at the corner of O'Connor and Somerset, and along Somerset)
- Seven (7) large units (2-bedroom plus convertible den)

In the event the applications are refused and appealed, it may be necessary to retain an external planner. This expense would be funded from within Planning Services' operating budget.

### **ACCESSIBILITY IMPACTS**

No accessibility barriers are anticipated. Proper accessibility will be ensured through Site Plan Control Approval and Building Code review.

### **ENVIRONMENTAL IMPLICATIONS**

There are no anticipated environmental implications. Detailed environmental assessment will be conducted as part of the Site Plan Control Approval process.

### **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Thriving Communities: Promote safety, culture, social and physical well-being for our residents.

### **APPLICATION PROCESS TIMELINE STATUS**

This application (D01-01-21-0004 and D02-02-21-0024) was not processed by the "On Time Decision Date" established for the processing of Official Plan amendment and Zoning By-law amendment applications due to the proposal being very controversial.

## **SUPPORTING DOCUMENTATION**

Document 1	Location Map
Document 2a	Official Plan Amendment
Document 2b	New Official Plan Amendment
Document 3	Details of Recommended Zoning
Document 4	Height Schedule
Document 5	Consultation Details
Document 6	Proposed Site Plan
Document 7	Renderings
Document 8	Urban Design Review Panel comments

## **CONCLUSION**

As this proposal satisfies the intent of all relevant policies within the current and new Official Plan and represents good planning, Staff are supportive of the proposed Official Plan Amendment and Zoning By-law Amendment for this site.

## **DISPOSITION**

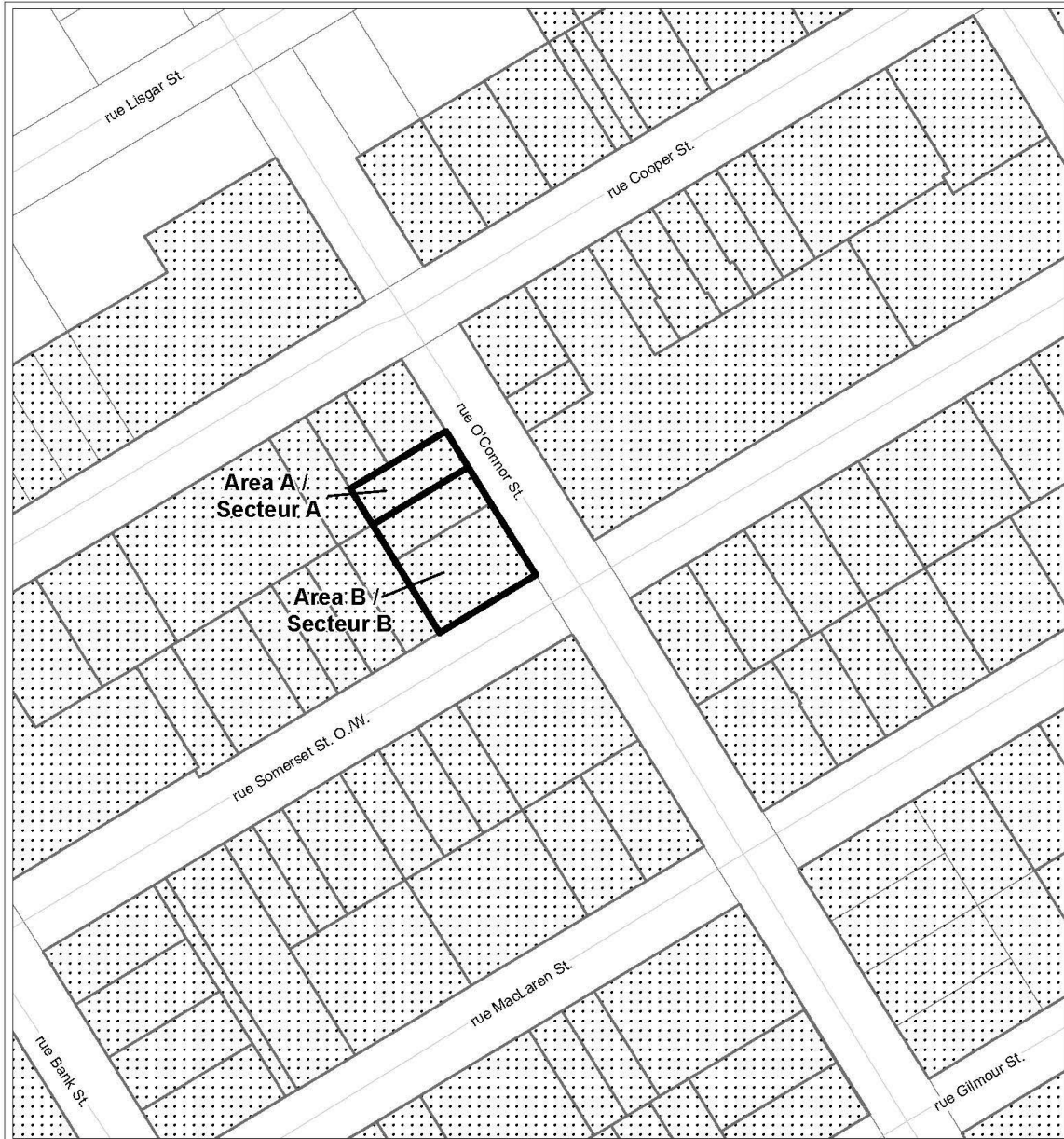
Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing & Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.





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



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE OFFICIAL PLAN AMENDMENT / MODIFICATION DU PLAN OFFICIEL	
D02-02-21-0024 D01-01-21-0004	22-0364-D	<b>234, 236 rue O'Connor Street</b> <b>311 rue Somerset Street O/W.</b>	
I:\CO\2021\Zoning\OConnor_234_236_Somerset_311			Area A to be rezoned from R5B[482] F (3.0) to TM[XXXX] SYYY Le zonage du secteur A sera modifié de R5B[482] F (3.0) à TM[XXXX] SYYY
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers                  All rights reserved. May not be produced without permission                  THIS IS NOT A PLAN OF SURVEY</small>			Area B to be rezoned from TM[2185] to TM[XXXX] SYYY Le zonage du secteur B sera modifié de TM[2185] à TM[XXXX] SYYY
<small>©Les données de parcelles appartient à Teranet Enterprises Inc.                  et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit                  sans autorisation. CE CI N'EST PAS UN PLAN D'ARPENTAGE</small>		Heritage (Section 60) Patrimoine (Article 60)	
REVISION / RÉVISION - 2022 / 05 / 06		Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) / Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)	
			

**Document 2a – Official Plan Amendment**

**Official Plan Amendment XX to the**

**Official Plan for the**

**City of Ottawa**

**INDEX**

**THE STATEMENT OF COMPONENTS**

**PART A – THE PREAMBLE** introduces the actual amendment but does not constitute part of Amendment No. XX to the Official Plan for the City of Ottawa.

**PART B – THE AMENDMENT** constitutes Amendment XX to the Official Plan for the City of Ottawa.

**PART A – THE PREAMBLE**

Purpose

Location

Basis

**PART B – THE AMENDMENT**

Introduction

Details of the Amendment

Implementation and Interpretation

**PART C - APPENDIX**

## **PART A – THE PREAMBLE**

### **Purpose**

Amend the Centretown Secondary Plan to increase the maximum building height from nine and 16 storeys to 18 storeys.

### **Basis**

Planning staff recommend approval of the amendment to the Official Plan and the Centretown Secondary Plan for 311 Somerset Street West and 234-236 O'Connor Street to permit an eighteen-story mixed use building containing 156 units.

### **Rationale**

The subject site is located within 700 metre walking distance of a Rapid Transit Station (Parliament), along a Transit Priority Corridor under Schedule D (Somerset), and along an Arterial Road under Schedule E (Somerset). It is also located along Somerset Street, between Bank Street and Elgin Street, where a variety of retail, restaurants, services, and employment use can be found.

The proposed High-Rise building will substantially contribute to intensification and housing opportunity. Building performance measures will ensure proper integration with the existing built context and adjacent low density uses.

The proposed development is consistent with the Traditional Mainstreet policies of the Central Character Area of the Centretown Secondary Plan where active uses such as retail shall be required on the ground floors fronting the street and where a continuous streetwall shall be maintained. These policies also state that the upper floors shall be occupied by residential, or office uses.



## **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. XX to the Centretown Secondary Plan for the City of Ottawa.

### 2. Details

The following changes are hereby made to the Centretown Secondary Plan:

Add a site-specific exception for 311 Somerset Street West and 234-236 O'Connor Street, more specifically to Section 3.9.4 - Central Character Area. The OPA would amend the land use designation of Schedule H1 - Land Use to designate the entire property as "Traditional Mainstreet" and amend the maximum height provisions of Schedule H2 - Maximum Building Heights to permit eighteen (18) storeys on the entire property. The Site Specific Exception Policy would be as follows:

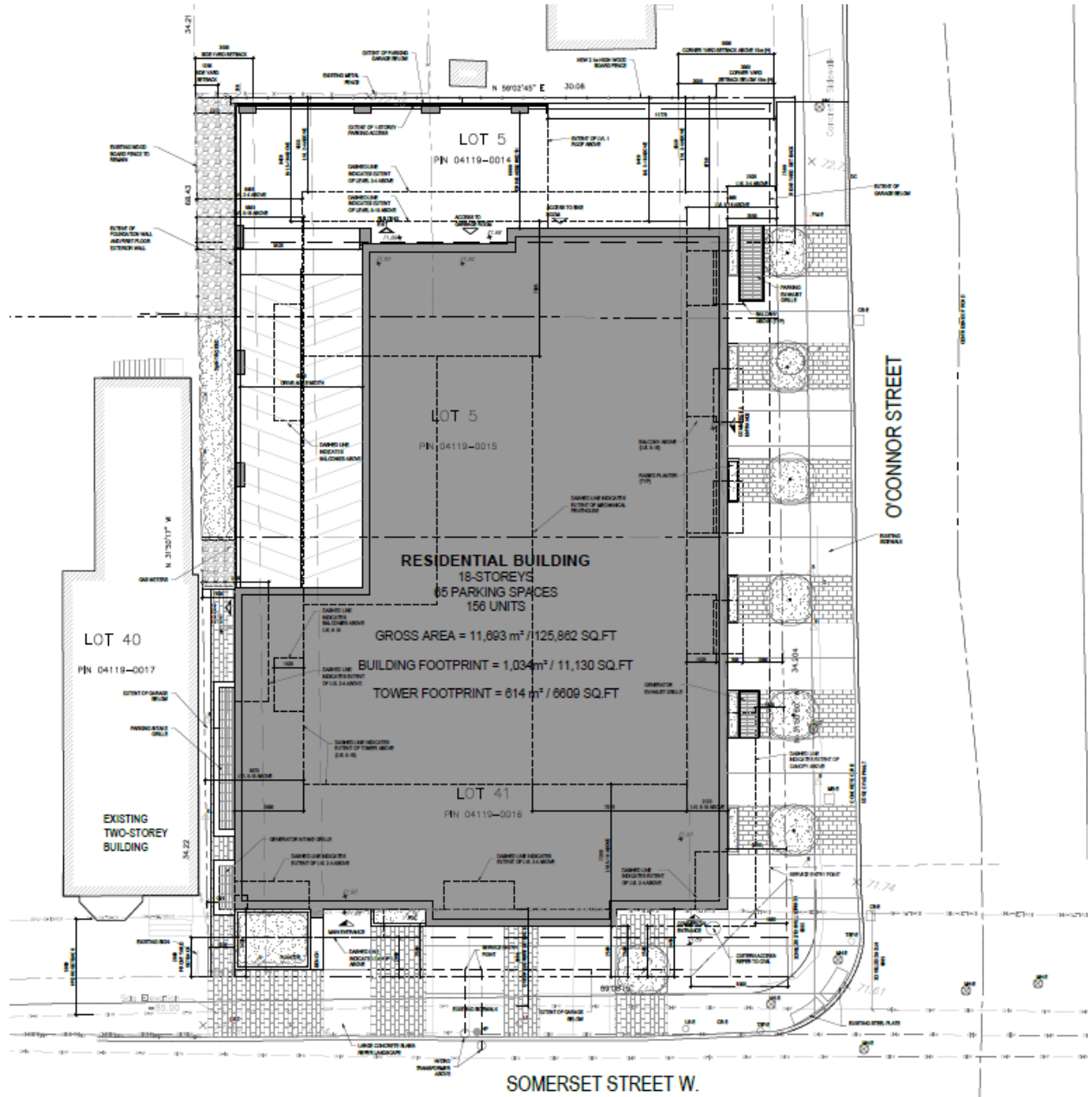
#### 3.9.4.7

Despite Section 3.9.4.3, the property at 311 Somerset Street West and 234-236 O'Connor Street is permitted a maximum building height of eighteen (18) storeys pursuant to Section 37 of the Planning Act where one or more community benefits are secured through an agreement with the City which will be provided at the time of development.

### 3. Implementation and interpretation

Implementation and interpretation of this Amendment shall be in accordance with the policies of the Official Plan for the City of Ottawa.

PART C – APPENDIX



**Document 2b – New Official Plan Amendment**

**Official Plan Amendment XX to the**

**Official Plan for the**

**City of Ottawa**

**INDEX**

**THE STATEMENT OF COMPONENTS**

**PART A – THE PREAMBLE** introduces the actual amendment but does not constitute part of Amendment No. XX to the Official Plan for the City of Ottawa.

**PART B – THE AMENDMENT** constitutes Amendment XX to the Official Plan for the City of Ottawa.

**PART A – THE PREAMBLE**

Purpose

Location

Basis

**PART B – THE AMENDMENT**

Introduction

Details of the Amendment

Implementation and Interpretation

**PART C - APPENDIX**

## **PART A – THE PREAMBLE**

### **Purpose**

Amend the Central and East Downtown Core Secondary Plan to increase the maximum building height from nine and 16 storeys to 18 storeys.

### **Basis**

Planning staff recommend approval of the amendment to the Official Plan and the Central and East Downtown Core Secondary Plan for 311 Somerset Street West and 234-236 O'Connor Street to permit an eighteen-story mixed use building containing 156 units.

### **Rationale**

The subject site is located within a 700-metre walking distance of a Rapid Transit Station (Parliament), along a Transit Priority Corridor under Schedule D (Somerset), and along an Arterial Road under Schedule E (Somerset). It is also located along Somerset Street, between Bank Street and Elgin Street, where a variety of retail, restaurants, services, and employment use can be found.

The proposed High-Rise building will substantially contribute to intensification and housing opportunity. Building performance measures will ensure proper integration with the existing built context and adjacent low density uses.

The proposed development is consistent with the Corridor policies of the Centretown Central Character Area of the Central and East Downtown Core Secondary Plan where active uses such as retail shall be required on the ground floors fronting the street and where a continuous streetwall shall be maintained. These policies also state that the upper floors shall be occupied by residential, or office uses.

## **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. XX to the Central and East Downtown Core Secondary Plan for the City of Ottawa.

### **2. Details**

The following changes are hereby made to the Central and East Downtown Core Secondary Plan:

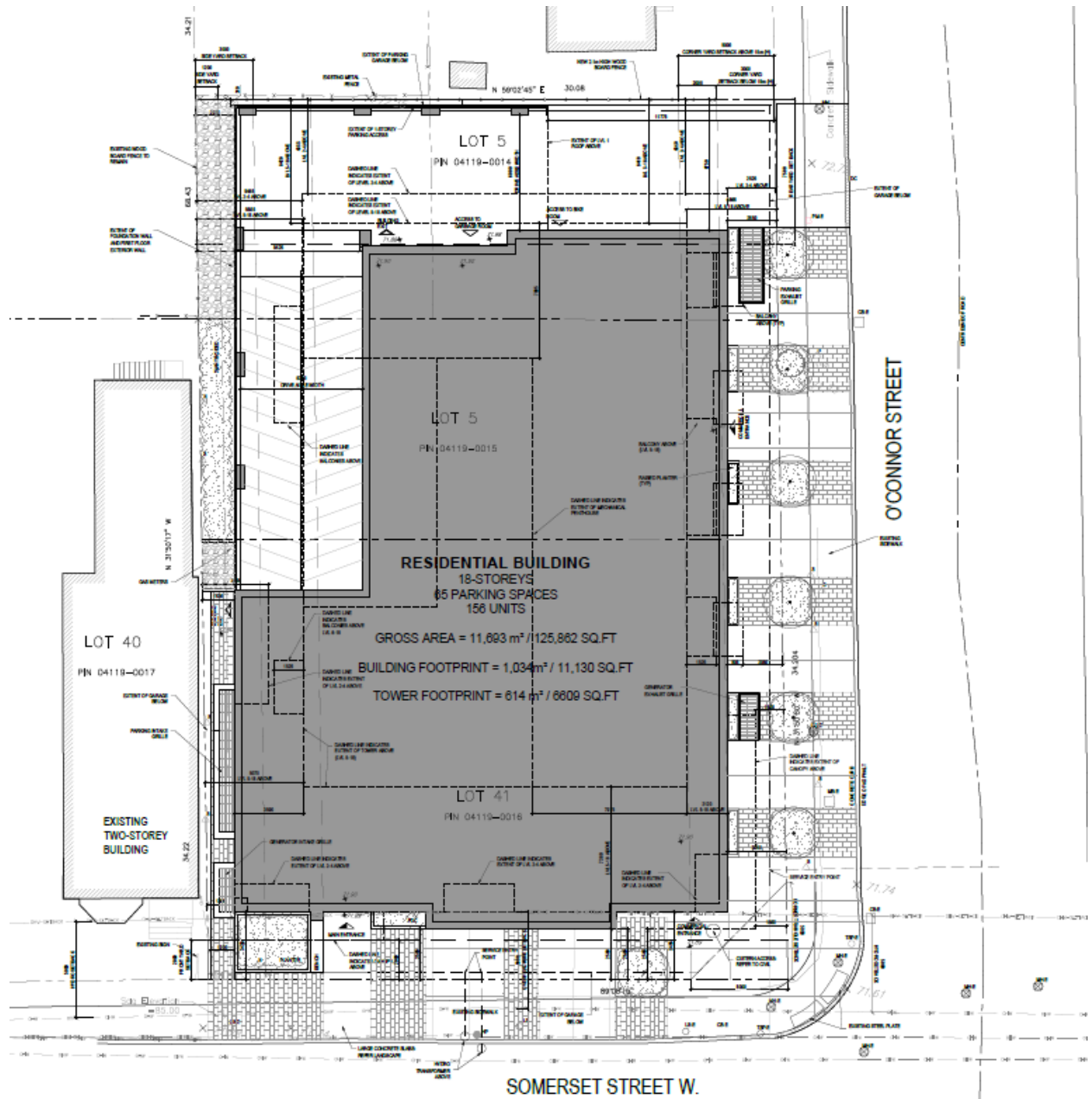
Add a site-specific exception for 311 Somerset Street West and 234-236 O'Connor Street, more specifically to Section 4.4.9 - Land Use and Site Development. The OPA would amend the land use designation of Schedule B - Designation Plan to designate the entire property as "Corridor" and amend the maximum height provisions of Schedule C - Maximum Building Heights to permit eighteen (18) storeys on the entire property. The Site Specific Exception Policy would be as follows:

50) Despite Policy 46) above, the property at 311 Somerset Street West and 234-236 O'Connor Street is permitted a maximum building height of eighteen (18) storeys pursuant to Section 37 of the Planning Act where one or more community benefits are secured through an agreement with the City which will be provided at the time of development.

### **3. Implementation and interpretation**

Implementation and interpretation of this Amendment shall be in accordance with the policies of the Official Plan for the City of Ottawa.

PART C – APPENDIX



### Document 3 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 311 Somerset Street West and 234-236 O'Connor Street:

1. To rezone the lands shown in Document 1 from R5B[482] F3.0 and TM[2185] to TM[XXXX] SYYY.
2. Amend Part 17 – Schedules, by adding Schedule YYY, as shown in Document 4.
3. Add a new exception, [XXXX], to Section 239 – Urban Exceptions with provisions similar in effect to the following:
  - a) Add to Column II the text TM[XXXX] SYYY
  - b) Add to Column V, Provisions, the text:
    - The lands zoned TM[XXXX] SYYY are considered one lot for zoning purposes;
    - Building setbacks, setbacks, and maximum permitted building heights are as per Schedule YYY;
    - Minimum residential parking rate: 0.3 spaces per dwelling unit;
    - Minimum bicycle parking rate: 1 space per dwelling unit;
    - Stacked bicycle parking is permitted;
    - Minimum landscape buffer along the rear lot line: no minimum;
    - Minimum width of a landscaped buffer along the interior lot line for the first 20.2 metres from the front lot line: no minimum;
    - Minimum width of a landscape buffer along the interior lot line after 20.2 metres from the front lot line: 1.6 metres;
    - Section 60 does not apply.
4. The following provisions dealing with a Section 37 authorization will also be added to the new Exception in Section 239:
  - a. Pursuant to Section 37 of the *Planning Act*, height and density of development permitted in this by-law are permitted subject to compliance with



all of the conditions set out in this by-law including the provision by the owner of the lot of the facilities, services and matters set out in Section (XX) of Part 19 hereof, to the City at the owner's sole expense and in accordance with and subject to the agreement referred to in b. below of this by-law.

- b. Upon execution and registration of an agreement or agreements with the owner of the lot pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services or matters set out in Section (XX) of Part 19 hereof, the lands are subject to the provisions of this By-law. Building permit issuance with respect to the lot shall be dependent upon satisfaction of the provisions of this by-law and in the Section 37 Agreement relating to building permit issuance, including the provision of monetary payments and the provision of financial securities.
  - c. Wherever in this by-law a provision is stated to be conditional upon the execution and registration of an agreement entered into with the City pursuant to Section 37 of the *Planning Act*, then once such agreement has been executed and registered, such conditional provisions shall continue.
5. The following will be added as Section (XX) of Part 19 of the Zoning By-law, will be titled 311 Somerset Street West and 234-236 O'Connor Street and will set out the facilities, services and matters that must be provided as per Section 37 of the *Planning Act*:

311 Somerset Street West and 234-236 O'Connor Street

The City shall require that the owner of the lands at 311 Somerset Street West and 234-236 O'Connor Street enter into an agreement pursuant to Section 37 of the *Planning Act*, to be registered on title, to the satisfaction of the City Solicitor and General Manager, Planning, Real Estate and Economic Development, to secure the public benefits noted below, and which will comprise a combination of public benefits including monies that would be paid to the City to be used for defined capital projects and facilities/works to be undertaken by the owner with the total value of the benefits to be secured to the City being indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Ottawa, calculated from the date of the Section 37 Agreement to the date of payment.

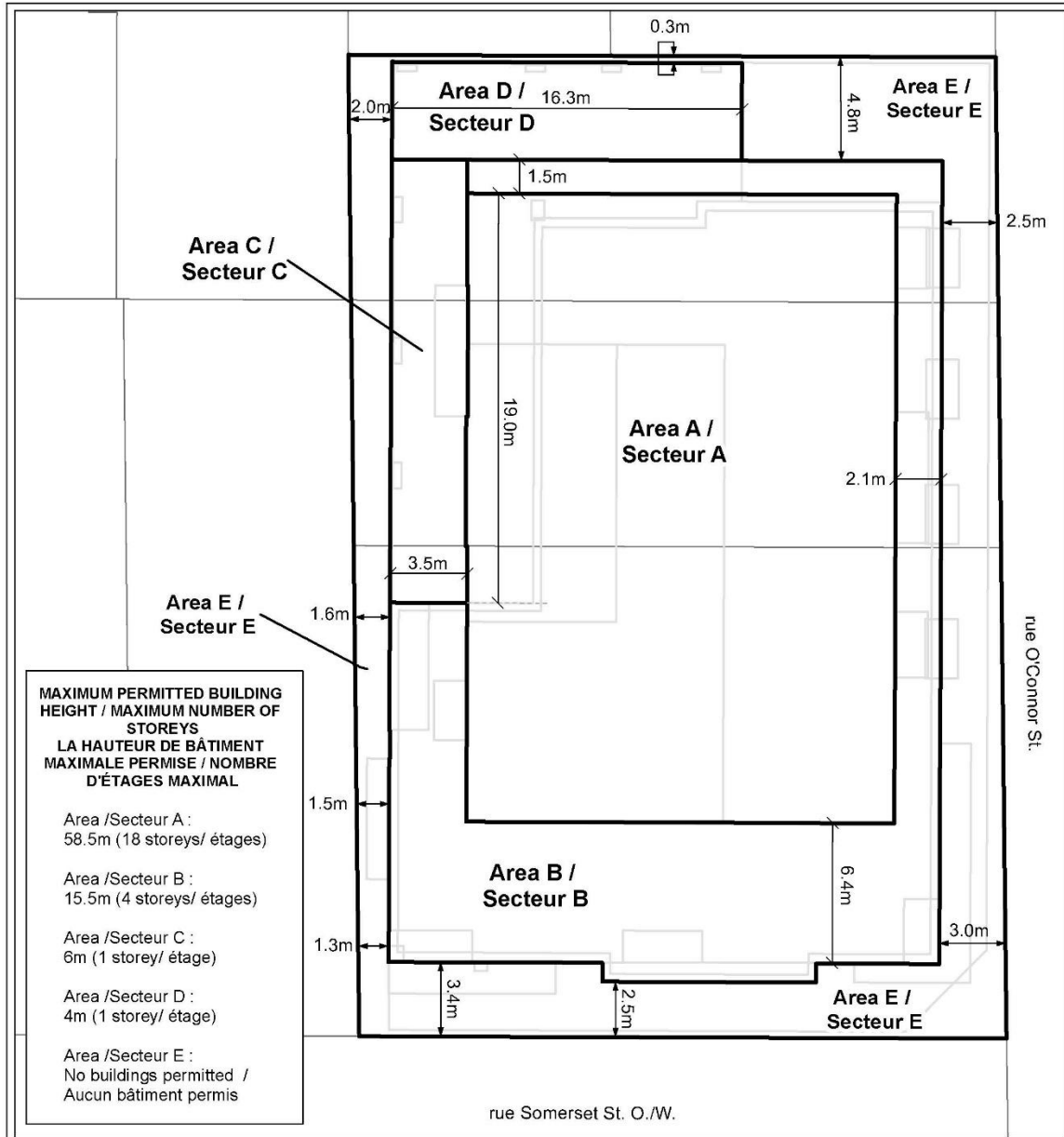
- a) The benefits to be secured are:

- At the discretion of the Ward Councillor, a cash contribution of \$599,950.69 towards the following:
  - \$549,950.69 to the ward affordable housing fund
  - \$50,000 to future community gardening needs in the ward


All the above money contributions are applicable to Ward 15.

- In addition, the following non-cash contributions will also be provided as part of the Section 37 Agreement and secured through the Section 37 Agreement or the Site Plan Control Agreement, whichever is most appropriate:
  - Publicly accessible bicycle parking
  - Bike repair station
  - 11 EV charging stations (5 available to visitors)
  - Energy efficient building technologies and techniques that will exceed the energy efficiency levels established in the National Energy Code for a building of this type by 25%
  - One (1) large piece or three (3) smaller pieces of public art (along O'Connor, corner of O'Connor and Somerset, and along Somerset)
  - Seven (7) large units (2-bedroom plus convertible den)
- b) Notwithstanding the foregoing, the owner and the City may modify or amend said agreement(s), from time to time upon the consent of the City and the owner, without further amendment to those provisions of the Zoning By-law, which identify the facilities, services and matters to be secured.
- c) The payment of Section 37 funds shall be provided prior to the issuance of a building permit for the first phase of the proposed development.

Document 4 – Schedule YYY



MAXIMUM PERMITTED BUILDING HEIGHT / MAXIMUM NUMBER OF STOREYS LA HAUTEUR DE BÂTIMENT MAXIMALE PERMISE / NOMBRE D'ÉTAGES MAXIMAL
Area /Secteur A : 58.5m (18 storeys/ étages)
Area /Secteur B : 15.5m (4 storeys/ étages)
Area /Secteur C : 6m (1 storey/ étage)
Area /Secteur D : 4m (1 storey/ étage)
Area /Secteur E : No buildings permitted / Aucun bâtiment permis



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**This is Schedule XXX to Zoning By-law No. 2008-250  
Annexe XXX au Règlement de zonage n° 2008-250**

This is Attachment X to By-law Number \_\_\_\_\_, passed \_\_\_\_\_, 2022  
Pièce jointe n° X du Règlement municipal n° \_\_\_\_\_, adopté le \_\_\_\_\_, 2022

 NOT TO SCALE

## 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.

As previously mentioned, the applicant presented his proposal at a public information session held on December 15, 2021. The session was organized by Councillor McKenney who attended with his office, along with the local community, the development team, and City staff. The local community attended in a large number.

### Public Comments and Responses

#### Comment:

The size and bulk of the proposal is out of place and out of character with this part of Centretown. The design is particularly inconsistent with the intent behind the Traditional Mainstreet designation fronting the Somerset Village between O'Connor and Bank. A tower next to heritage properties will deter others from investing in restoring century homes. There needs to be setbacks from the sidewalks and the two Heritage Buildings on Cooper Street immediately adjacent to the proposed development.

#### Response:

To ensure proper integration with its context, the proposed development will feature a 4-storey bricked podium, which respects a datum line projected from an existing 4-storey office building to the north-east of the intersection of Somerset and Bank. The tower will have a modest 614 square metres tower footprint and will be stepped back 6.5 metres on the south (along Somerset), 3.6 metre on the west (next to the designated low rise buildings), and 1.5 metres on the north (also next to designated low rise buildings).

#### Comment:

There is a concern about privacy and shading due to the proposed height.

#### Response:

A nine-storey built form, likely having a larger building footprint, would be more impactful to the low density residential uses to the north in terms of privacy and sun obstruction. This, given a wider northern building facade would represent more overlooking

windows, a longer window of shadowing, and no building setbacks to obstruct the perspective down from the higher units.

Comment:

The component above the base should be removed. The two separate tower designs fight and draw the eye to the contraction in design rather than minimize the impact of the larger towers to the surrounding area.

Response:

The proposed development was revised to remove the mid-portion. The proposed development now features a 614 square metre tower sitting on top of a 4-storey podium.

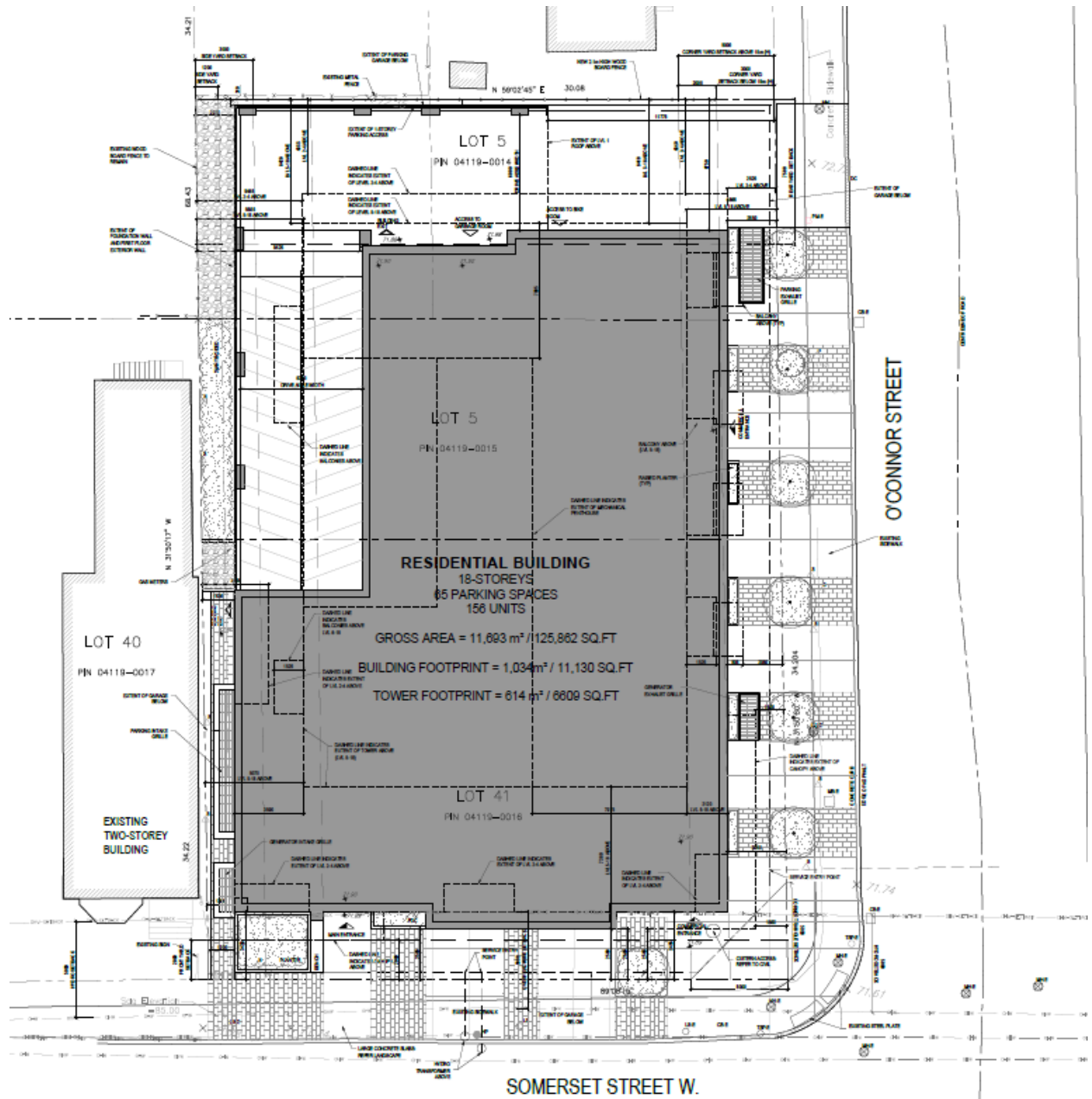
Comment

O'Connor is already a heavily travelled road and adding so many new apartments to one site can only exacerbate the situation.

Response

The amount of parking provided will be kept to a low rate of 0.3 spaces per dwelling unit. The subject site is located within 700 metre walking distance of a Rapid Transit Station (Parliament), along a Transit Priority Corridor under Schedule D (Somerset), and along an Arterial Road under Schedule E (Somerset). The subject site is also located along Somerset Street, between Bank Street and Elgin Street, which offer a variety of retail, restaurants, services, and employment use. For these reasons, it is expected that future occupants would likely be using modes of transportation other than the automobile.

Document 6 – Proposed Site Plan



Document 7 – Renderings

South



East





North



West



## Document 8 – Urban Design Review Panel

### Summary

- The Panel has very strong concerns with the proposed mass, the adjacency issues that it causes, and the disregard for the area plans, Community Design Plan and High-Rise Guidelines. The Panel questioned the tripartite expression with particular concerns expressed on the massing of floors 4 to 9. It was recommended that a high-rise building is not an appropriate built form for this site.
- The base of the building and the evolution of the proposed public realm were generally supported.

### Massing

- The Panel expressed very strong concerns with the proposed mass, specifically the portion above the base, due to adjacency issues and in terms of not meeting the intent of policy or guidelines.
- The proposed density is a concern, and the tower typology is not supported on this site. This should be a mid-rise transition site.
- If the tower typology is deemed appropriate by City staff, significant changes should be made to reduce the mass and design of middle portion and the tower, as the current composition is overwhelming.
  - The density should be reduced.
  - The tripartite division should be reconsidered. Eliminate the middle portion (floors 4-9) and have a low podium and a more slender tower.
  - Greater tower setbacks from property lines are needed on all sides. As proposed, the middle portion is looming too closely over Somerset Street. A 10-metre tower separation distance is strongly recommended from the north property line.
  - The tower should be designed to be made as invisible as possible by using lighter, less imposing materials.
  - The mechanical penthouse is reading as too large and overwhelming, as designed.

### **Base of Building**

- The Panel generally offered support for the treatment of the base (the bottom three storeys) of the building and the ties to the heritage context. The use of brick and wood are particularly successful.

### **Heritage**

- The Panel expressed appreciation for the analysis of the delicate heritage fabric and the contemporary response in terms of the design of the building base. One member encouraged the proponent to continue to refine the expression to more closely replicate the rhythm of the street.
- Using a textured concrete rather than an aluminum panel and toning down the nuances of the dark grey banding in the base of the building would be more sensitive to the neighbourhood context.

### **Public Realm**

- The Panel felt that the design of the public realm is moving forward in a positive way.