

2. Zoning By-law Amendment – 180 Metcalfe Street

Modification du Règlement de zonage – 180, rue Metcalfe

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 180 Metcalfe Street to permit a 27-storey mixed-use building, with an enclosed rooftop amenity area as a permitted projection above the height limit, as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant le 180, rue Metcalfe afin de permettre la construction d'un immeuble polyvalent de 27 étages comportant une aire d'agrément fermée sur le toit à titre de saillie autorisée au-dessus de la limite de hauteur, comme l'expose en détail le document 2.

Documentation/Documentation

1. Report from the Director, Planning Services, Planning, Infrastructure and Economic Development Department, dated May 28, 2021 (ACS2021-PIE-PS-0071)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 28 mai 2021 (ACS2021-PIE-PS-0071)

2. Extract of draft Minutes, Planning Committee, June 10, 2021

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 10 juin 2021

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
10 June 2021 / 10 juin 2021**

**and Council
et au Conseil
23 June 2021 / 23 juin 2021**

**Submitted on 28 May 2021
Soumis le 28 mai 2021**

**Submitted by
Soumis par:**

**Lee Ann Snedden,
Director / Directrice**

Planning Services / Services de la planification

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

Contact Person / Personne ressource:

**Kimberley Baldwin, Planner / Urbaniste, Development Review Central / Examen
des demandes d'aménagement centrale
613-580-2424, 23032, Kimberley Baldwin**

Ward: SOMERSET (14)

File Number: ACS2021-PIE-PS-0071

SUBJECT: Zoning By-law Amendment – 180 Metcalfe Street

OBJET: Modification du Règlement de zonage – 180, rue Metcalfe

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 180 Metcalfe Street to permit a 27-storey mixed-use building, with an enclosed rooftop amenity area as a permitted projection above the height limit, 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 June 23, 2021," 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 le 180, rue Metcalfe afin de permettre la construction d'un immeuble polyvalent de 27 étages comportant une aire d'agrément fermée sur le toit à titre de saillie autorisée au-dessus de la limite de hauteur, 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 soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes de la *Loi sur l'aménagement du territoire*, à la réunion du Conseil municipal prévue le 23 juin 2021 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

BACKGROUND

Learn more about [link to Development Application process - Zoning Amendment](#)

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

Site location

180 Metcalfe Street

Owner

JADCO Group (10701572 Canada Inc. c/o Carole Doudak)

Applicant

FOTENN Consultants Inc. (c/o Bria Aird)

Architect

Roderick Lahey Architect Inc.

Description of site and surroundings

The property is located in the Centretown neighbourhood on the southwest corner of Metcalfe Street and Nepean Street. The rectangular lot is approximately 1,822 square metres in size with 30 metres of frontage along Metcalfe and 60 metres of frontage along Nepean Street. The site is currently occupied by a heritage building and a surface parking lot. The subject property is listed under Part IV of the *Ontario Heritage Act*, to protect key elements of the existing six-storey Medical Arts Building.

The surrounding area includes a range of building heights and land uses, including office, commercial and residential uses. To the north, the site abuts Nepean Street, beyond which is a seven-storey mixed-use building. To the east, the site abuts Metcalfe Street, beyond which are 27-storey mixed-use buildings, with a grocery store at-grade and residential units above. To the south, the site abuts a 12-storey apartment building and to the west is a three-storey low-rise apartment building.

Summary of requested Zoning By-law amendment proposal

The zoning by-law amendment application seeks to permit a 530-square metre, 5.5-metre in height, enclosed rooftop amenity area as a permitted projection above the height limit of a proposed 27-storey mixed-use building. Through this application, the applicant also formally requests to incorporate previously approved variances related to maximum building height, minimum aisle width and minimum landscaping area into the revised zoning details for this site.

Brief history of proposal

On September 9, 2015 Council approved an Official Plan Amendment (D01-01-14-0021) and Zoning By-law Amendment (D02-02-14-0116) for a 27-storey mixed-use building that was 83 metres in height.

On January 25, 2019, the Committee of Adjustment approved a Minor Variance application (D08-02-18/A-00395), which included permission for an additional 1.5 metres in height (from a maximum 83 metres to 84.5 metres), to permit a reduced drive aisle width of 6.0 metres and to permit a reduced landscaped area of 11.8 per cent of the lot area.

On September 25, 2019, a Site Plan Control application (D07-12-18-0125) was approved to permit the development of a 27-storey (84.5 metre) mixed-use building with ground floor commercial and 303 residential dwelling units, and 188 vehicular parking spaces in a six-level underground parking garage. The proposal featured the retention of the Medical Arts building facades along Metcalfe and Nepean Streets and approximately 12.5 metres of the southern heritage building façade.

On June 3 2020, the applicant submitted an Official Plan Amendment application (D01-01-20-0008), a Site Plan Control application (D07-12-20-0072) and the subject Zoning By-law Amendment application (D02-02-20-0043) to permit a 30-storey mixed-use building containing ground floor commercial, 311 dwelling units and 188 vehicular parking spaces.

In response to concerns with the proposed height, the proposed design has been scaled back to a 27-storey high-rise building. The applicant is moving forward with the subject Zoning By-law Amendment to permit an enclosed rooftop amenity area as a permitted projection above the height limit. As the revised design does not propose additional storeys, an amendment to the Centretown Secondary Plan is not required, and the associated the Official Plan Amendment application will be withdrawn.

DISCUSSION

Public consultation

In accordance with the City's Public Notification and Consultation Policy, two signs were posted on the site, and residents within 120 metres were notified of application by mail. Local registered community groups were also notified.

Planning staff received 15 public comments.

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

Official Plan designations

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

General Urban Area designation permits all types and densities of housing, as well as a wide range of non-residential uses. In the General Urban Area, taller buildings may be contemplated where identified in a Secondary Plan.

Development application review is also guided by Sections 2.5.1 and 4.11 of the Official Plan. The Designing Ottawa policies in Section 2.5.1 of the Plan encourage compatible development that is not necessarily the same as the existing buildings but coexist without causing undue adverse impact. The Urban Design and Compatibility policies in Section 4.11 of the Plan assesses compatibility of new building design with their surroundings in the context of elements such as setbacks; height and transition; roofline articulation and incorporating elements and details of common characteristics of the area. The Section 4.11 policies also call for roof-top mechanical features and amenity spaces to be incorporated into the design and massing of a building.

Other applicable policies and guidelines

The property is within the Northern Character Area as per Annex 1 of the Centretown Secondary Plan and is within the "Apartment Neighbourhood" land use designation on Schedule H1. This designation permits apartment buildings, as well as small-scale, neighbourhood-oriented commercial uses that are located within the first two floors of a building. The maximum building height for the subject property is 27 storeys as per Schedule H2 of the Secondary Plan.

Staff also assessed the building design using the built form direction provided in the Centretown Community Design Plan as well as the Urban Design Guidelines for High-Rise Buildings.

Heritage

The property at 180 Metcalfe Street is designated under Part IV of the Ontario Heritage Act and the current development has an approved heritage permit, issued by City Council in 2018. The proposed zoning by-law amendment to permit the enclosure of the rooftop amenity area will also require a permit under the Ontario Heritage Act. It is expected that this permit will be issued under the authority delegated to staff after Council's consideration of this zoning by-law amendment application. The proposed rooftop projection will not have a negative impact on the heritage value or attributes of the designated building and the Heritage Planning branch has no concerns with the application.

Urban Design Review Panel

While this development proposal exists within a Design Priority Area, the revised design does not meet the threshold for review by the Urban Design Review Panel.

Planning rationale

Planning staff support the zoning by-law amendment application to permit an enclosed rooftop amenity area as a permitted projection above the height limit of the proposed 27-storey mixed-use building. The enclosed amenity area will include the elevator core/stairwells, an electrical room, a mechanical room, a pool with washrooms/changerooms and a small gym, as well as access to two outdoor terraces.

The proposal conforms to the Official Plan, in particular with the General Urban Area policies in Section 3.6.1, the Designing Ottawa policies in Section 2.5.1 and the Urban Design and Compatibility policies Section 4.11 of the Plan. As shown in Document 4, the revised design is a minimal change, relative to the existing approved building design. The revised design is compatible with the existing and planned function of this area of Centretown. The proposed development falls below the projected angular control planes that protect views of the Parliament Buildings. There are other 27-storey developments nearby with similar roof-top mechanical/amenity penthouse areas above the top storey.

The revised design satisfies the objectives set out in the Centretown Secondary Plan and Centretown Community Design Plan. The proposed development will contain residential units and small-scale, neighbourhood-oriented commercial uses, consistent with the vision for the Northern Character area of Centretown. The proposal respects the built form guidance found within the Centretown Community Design Plan. The proposal maintains a 27-storey height, as recommended in the CDP.

As noted in Section 4.11 of the Official Plan and also as recommended in the Urban Design Guidelines for High-Rise Buildings, the roof-top mechanical and amenity space is incorporated into the overall building design.

Finally, staff have no concern with the applicant's request to incorporate the previously approved variances related to maximum building height, driveway width and landscaping into this zoning by-law amendment application.

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.

COMMENTS BY THE WARD COUNCILLOR(S)

The Ward Councillor is aware of the application related to this report.

LEGAL IMPLICATIONS

Should the recommendations be adopted, and the resulting zoning by-law be appealed to the Local Planning Appeal Tribunal, it is anticipated that a three day hearing would be required. It is anticipated that this hearing can be conducted within staff resources. In the event that the zoning application is refused, reasons must be provided. Should there be an appeal of the refusal, it would be necessary to retain an external planner.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

There are no direct Asset Management implications associated with the recommendations in this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the report recommendations. In the event the application is refused and appealed, an external planner would need to be retained. This expense would be funded from within Planning Services' operating budget.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this application.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priority:

- Thriving Communities

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-20-0043) was not processed by the "On Time Decision Date" established for the processing of zoning by-law amendments due to the time required to review revisions associated with the proposal.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Schedule 345

Document 4 Approved and Revised Building Design (top of building only)

Document 5 Consultation Details

CONCLUSION

The Planning, Infrastructure and Economic Development Department can support the zoning by-law amendment to permit a 27-storey mixed-use development, with an enclosed rooftop amenity area as a permitted projection above the height limit. The proposed development conforms to the applicable policies set out in the Official Plan, Centretown Secondary Plan, Centretown Community Design Plan and the Urban Design Guidelines for High-Rise Buildings. Staff are satisfied that the proposed development is similar to the previous development concept, approved by the City in 2019. The proposed development may be further refined through the associated Site Plan Control application process.

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.

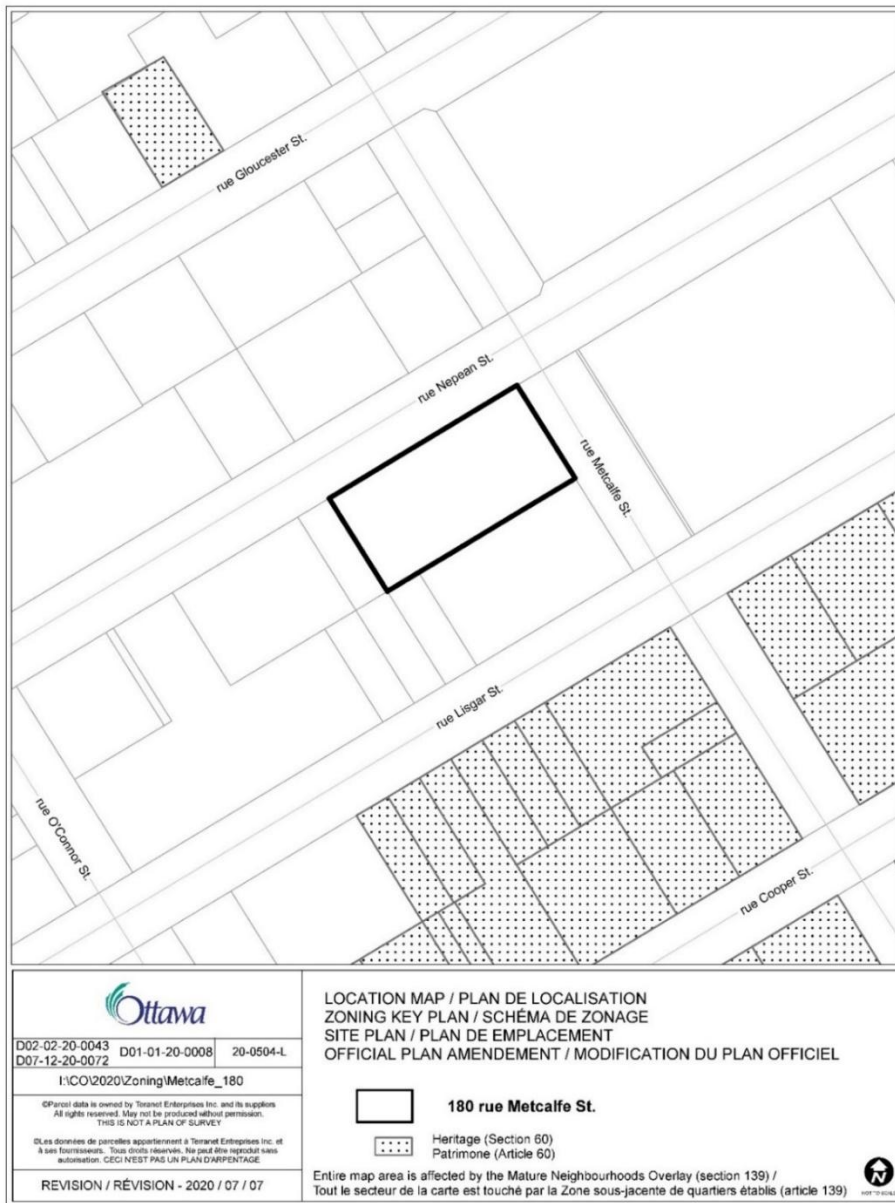
Legal Services, Innovative Client Services Department to forward the implementing by-law to City Council.

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

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa.

The image below shows the location of the proposed development, at the southwest corner of Metcalfe and Nepean Street, in the Centretown neighbourhood.

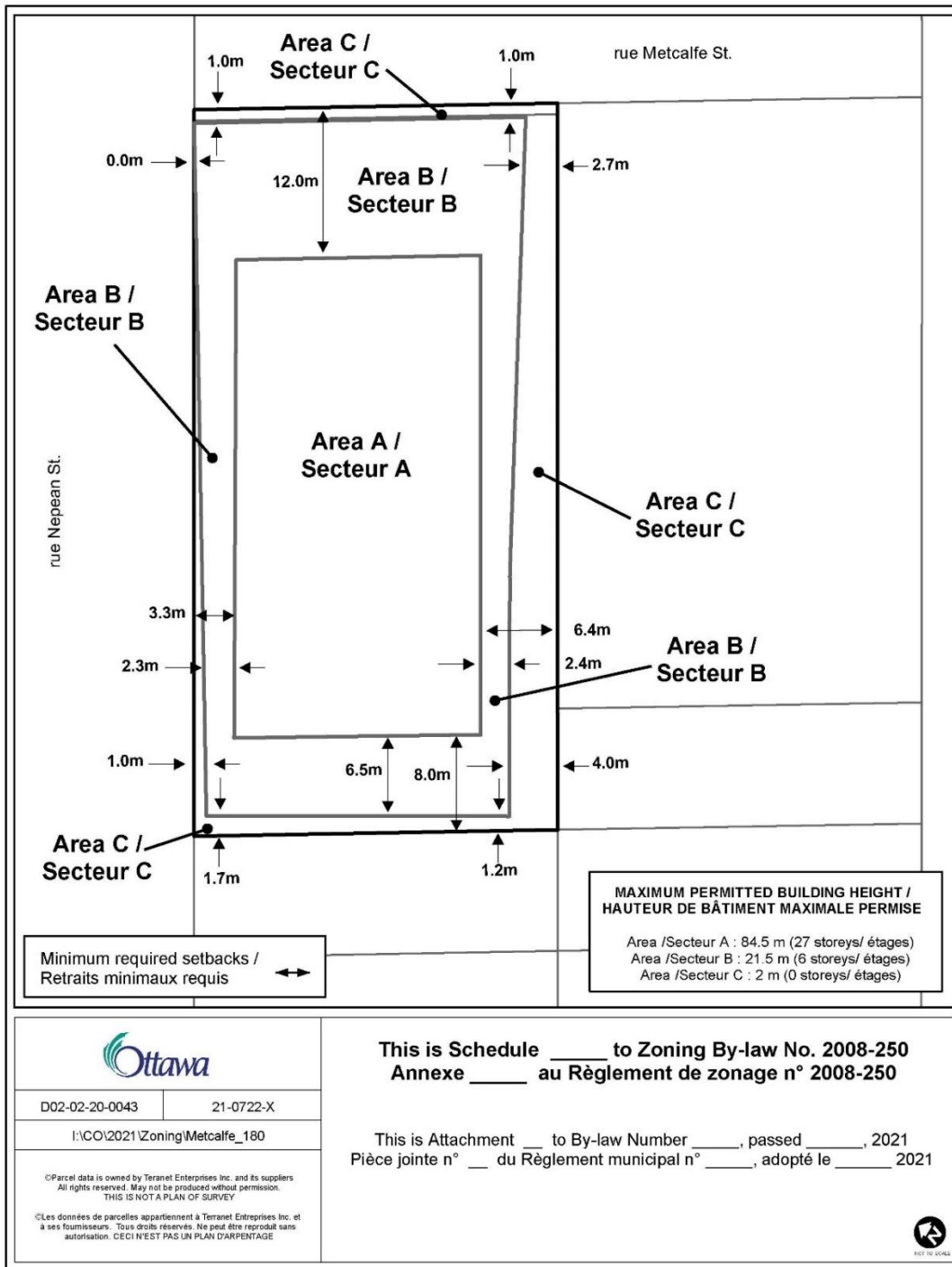


Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 180 Metcalfe Street:

1. Amend Part 17 – Schedules, by replacing Schedule 345, as shown in Document 3.
2. Amend Section 239, Urban Exceptions, by revising Exception 2264 with provisions similar in effect to the following:
 - a) In Column V:
 - i. Delete the following:
 - Minimum width of an aisle: 6.2 m
 - Despite 163(9), 16% of the lot area must be provided as landscaped area
 - ii. And replace with the following:
 - Minimum width of an aisle: 6.0 m
 - Despite 163(9), 11.8% of the lot area must be provided as landscaped area.
 - iii. Add the following provision:
 - An enclosed amenity area of 530 square metres and a height of 5.5 metres is a permitted projection above the maximum height limit.

Document 3 – Schedule 345



D02-02-20-0043 21-0722-X

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

This is Attachment ___ to By-law Number _____, passed _____, 2021
 Pièce jointe n° ___ du Règlement municipal n° _____, adopté le _____, 2021



Document 4 – Approved and Revised Building Design (top of building only)

Figure 1 – Site Plan Approved Design (North Elevation)

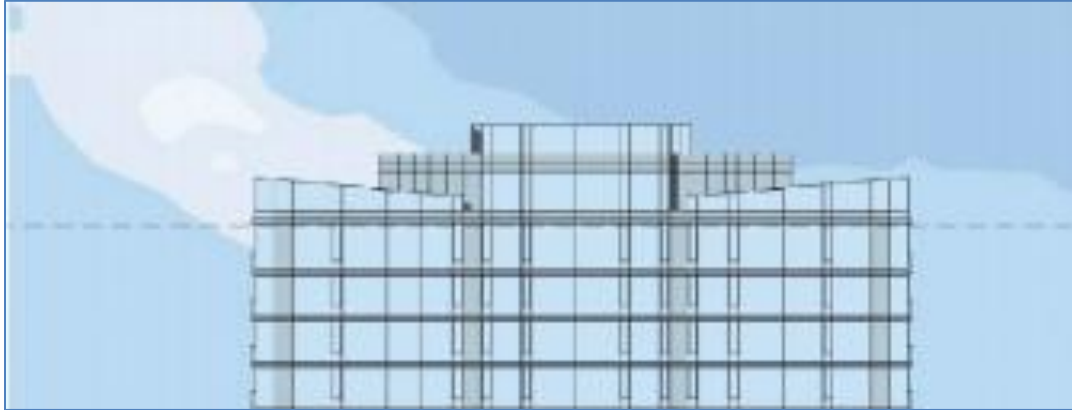


Figure 2 – Revised Design (North Elevation)



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

Public Comments and Responses

Comment:

Height (at 30 storeys)

- Concern that the proposal contravenes the Official Plan of the Centretown Secondary Plan Schedule H2 – Maximum Building Heights, which designates the property at 27 storeys.
- The project does not seem to have a realized strategy, and therefore lacking proper plan, such that it is an everchanging and requesting the City of Ottawa for action in an ad hoc and piece-meal fashion. This makes it difficult for City Officials and residents alike to fully grasp the intention of the project.
- Adding three storeys to the project may detract from the other local business and residential buildings that abided the 27-storey limit.
- May set precedence for other developments to further amend building heights.
- Limited benefit to increasing housing supply (only eight units) compared to the impacts of the additional height.
- A 30-storey building will increase shadowing / reduce sunlight on neighbouring properties, obstruct views, interfere with the city sky-landscape, increase negative mental health impacts of tenants, and increase the amount of noise and air pollution due to construction work (prolonging the existing construction).
- Some community members did not have any issues with the building height increase.

Response:

The design has been revised to remove the additional proposed storeys. A 27-storey building, with an enclosed amenity area above, is now proposed. The revised design is

in conformity with the Centretown Secondary Plan. A zoning by-law amendment is still required to permit the enclosed amenity area as a permitted projection above the height limit.

From a design and impact perspective, the massing of the enclosed amenity area is a minimal change from the Site Plan Approved building. As such, no impacts on adjacent properties are expected to be created by this zoning by-law application.

Comment:

Population Density

- Opposition to the population density increase (increase in waste, vehicular traffic, and strain on amenities such as internet, electricity and water-supply).

Response:

The previously approved Site Plan proposed to provide 303 residential units and the withdrawn 30-storey design proposed to provide 311 units. The proposed development has been revised to provide a total of 307 residential units. Planning staff have no concern with the density proposed for this site. Official planning policy and regulatory framework supports increase in density for locations like the subject property. Increase in density support sustainability, energy efficiency and air quality. Through the site plan control process, the City will ensure that the proposed development can be accommodated through existing and planned infrastructure.

Comment:

Landscaping

- Opposition to reducing the required amount of landscaped area

Response:

The proposed landscaped area at grade is not being reduced from the approved design. The reduction from 16 per cent to 11.8 per cent landscaped area was granted as a minor variance by the Committee of Adjustment in 2019. For clarity, the 11.8 per cent landscaped area is now requested to be incorporated into the revised zoning applicable to the site.

Comment:

Driveway Width

- Opposition to reducing the driveway width.

Response:

The requested driveway width reduction from 6.2 metres to 6.0 metres was also already granted by the Committee of Adjustment. Similar to the landscaping request above, the request is for the 6.0-metre driveway width to be incorporated into the revised zoning applicable to this site.