

<p>6. Zoning By-law Amendment – 406 and 408 Bank Street</p> <p>Modification du Règlement de zonage - 406 et 408, rue Bank</p>

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 406 and 408 Bank Street to permit a six-storey mixed-use building, as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification du Règlement de zonage 2008-250 visant les 406 et 408, rue Bank afin de permettre l'aménagement d'un bâtiment polyvalent de six étages, comme l'indique le document 2.

Documentation/Documentation

1. Report from the Director, Planning Services, Planning, Infrastructure and Economic Development Department, dated August 23, 2021 (ACS2021-PIE-PS-0105)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 23 août 2021 (ACS2021-PIE-PS-0105)
2. Extract of draft Minutes, Planning Committee, September 9, 2021

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 9 septembre 2021

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**Comité de l'urbanisme
Rapport 48
Le 22 septembre 2021**

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
9 September 2021 / 9 septembre 2021**

**and Council
et au Conseil
22 September 2021 / 22 septembre 2021**

**Submitted on 23 August 2021
Soumis le 23 août 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**

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Ward: SOMERSET (14)

File Number: ACS2021-PIE-PS-0105

SUBJECT: Zoning By-law Amendment – 406 and 408 Bank Street

OBJET: Modification du Règlement de zonage - 406 et 408, rue Bank

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 406 and 408 Bank Street to permit a six-storey mixed-use building, as detailed in Document 2.**

2. That Planning Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to *the Planning Act* 'Explanation Requirements' at the City Council Meeting of September 22, 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 du Règlement de zonage 2008-250 visant les 406 et 408, rue Bank afin de permettre l'aménagement d'un bâtiment polyvalent de six étages, comme l'indique le document 2.
2. Que le Comité de l'urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation, 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 22 septembre 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

406 and 408 Bank Street

Owner

12291444 Canada Inc

Applicant

Fotenn Planning + Design

Architect

Susan D. Smith Architect

406 and 408 Bank Street

Description of site and surroundings

The subject site is a vacant square corner lot with a total area of 302.18 square metres, located in the Somerset Ward (Ward 14) at the northwest corner of Bank Street and Florence Street in the Centertown neighborhood. The site is currently surrounded by mixed-use buildings similar to the proposed.

Summary of the proposal and requested Zoning By-law Amendment

The subject property is current zoned Traditional Mainstreet with a maximum building height of 19 metres (TM H(19)) and permits a broad range of residential and non-residential uses.

The application includes the development of a six-storey building, with commercial tenancies at the ground floor and 30 units above. A single interior loading area is accessed from Florence Street. Amenity space is provided in the basement, along with 16-space bicycle room. The following variances are required in order to accommodate this development:

- A front yard setback of two meters is required for buildings above a height of 15 metres or four storeys, the applicant is proposing a setback of 1.5 metres on floors five and six;
- A corner side yard setback of three metres is required at grade, with an additional two metre setback above 15 metres or four storeys. The applicant is proposing zero metre setback at-grade and both a zero metres and 0.61 metres above the fourth-storey from the corner side yard;

- Increase in maximum height from 19 to 21 metres;
- A reduction in the visitor parking from two spaces to zero; and
- Relief from the Heritage Overlay (Section 60).

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. Owners within 120 metres of the subject site were notified through a direct mailing and a sign was posted on the site. One comment was received related to the area's lack of parking options and that the proposed development will contribute to this existing problem. The site is located in close proximity to the downtown core and local transit and there are a number of public parking options in the area. Additionally, a loading space will be provided on site for the benefit of residents and commercial tenants for move-ins and deliveries.

Official Plan designation

According to Schedule B of the Official Plan, the property is designated Traditional Mainstreet, which encourages opportunities for intensification through medium-density and mixed-use development at various scales.

Heritage

The former heritage building on the property was destroyed by a fire in 2002. As the property no longer contains any buildings of cultural heritage value, relief from Heritage Overlay is requested.

As per the staff report ([ACS2021-PIE-RHU-0024](#)) to be brought forward by Heritage Planning staff to the Built Heritage Sub-committee on August 31, 2021, Heritage staff are satisfied that the proposed building is consistent with the relevant heritage policies and is sensitive to the sites history and context.

Urban Design Review Panel

The property is within a Design Priority Area; however, the proposal was exempted from the Urban Design Review Panel (UDRP) based on the minor nature of the design

issues and based on the size of the development. Urban Design staff are confident that these issues can be and mostly have been resolved adequately at the staff level.

Planning rationale

Official Plan

According to Schedule B of the Official Plan, the property is designated Traditional Mainstreet, which encourages opportunities for intensification through medium-density and mixed-use development at various scales.

The application has been evaluated in accordance with the compatibility policies of Sections 2.5.1 and 4.11. These Sections of the Official Plan provide direction on urban design and compatibility and state that introducing new development requires a sensitive approach and must have respect for a community's established characteristics. Greater heights may be considered in accordance with Section 4.11, which states that building transition can be accomplished through a variety of means, including incremental changes in building height, the use of ground-oriented retail uses and housing forms adjacent to the street, exterior treatments and building finishes, and building setbacks.

Staff are of the opinion that the compatibility criteria are being met, specifically through the use of strategic massing and appropriate stepbacks. The requested height change is minor and allows for the construction of a six-storey building, which is consistent with the heights typically permitted within the Traditional Mainstreet policy area.

Centretown Secondary Plan

The property is found within the Central Character Area of this plan. Schedule H2 establishes the maximum heights which are then implemented through the Zoning By-law. These heights are meant to ensure that appropriate transition and compatibility is maintained between this corridor and the surrounding area. The subject site is listed on Schedule H2 as 'Heritage Group 1 and 2', which was tailored to the heritage building that was destroyed in a fire in 2002. Since the vacant lot has no built form it is reasonable to revisit the height permitted to accommodate site development. The proposed six-storeys, or 21 metres, is a suitable height for the subject property given its surrounding context.

Zoning By-law 2008-250

The property is zoned Traditional Mainstreet with a maximum height of 19 metres (TM H(19)). The applicant seeks to amend the height to 21 metres (not including allowable permitted projections). In the department's opinion, the height variance is minor, and the proposal will still include appropriate setbacks to preserve the pedestrian scale along Bank Street and Florence Street.

The Traditional Mainstreet designation requires that portions of the building above 15 metres, or four storeys, are to include a setback a minimum of two metres. This applies to both the Bank Street and Florence Street facades and are meant to support a better pedestrian environment. The proposed includes slight deviations from these setbacks. The Bank Street setback is requested to be a minimum of 1.5 metres, which is largely consistent with the intent of this provision. The Florence Street corner side yard setback is proposed to be zero metres rather than the required three metres, and the setback above is zero metres for the first seven metres measured from the front lot line (to accommodate a corner feature), and 0.6 metres beyond seven metres. Staff believe that the setback, along with different material provided for these upper storeys, will be adequate to break up the massing and meet the intent of this provision. A corner side yard setback of zero metres is appropriate given the small size of the site and the impact that a three-metre setback will have on the gross floor area.

Zoning relief is being sought for a reduction in the number of visitor parking spaces being provided on site. The Zoning By-law does not require resident parking; however, the rate for visitor parking is 0.1 spaces per unit. This results in a requirement of two parking spaces based on 30 residential units. The Applicant is seeking a reduction to zero spaces. Forgoing this requirement is appropriate given the alternative transportation options available in the area, as well as the amount of space that would be needed to accommodate these two spaces and the necessary drive aisles - especially considering the small size of the site.

Finally, Section 60 of the Zoning By-law refers to the Heritage Overlay; which applies to the subject property. The intention of this section is to protect the character of heritage areas and built resources, even in the event these buildings are destroyed. The application has also been subject of a parallel application under the Ontario Heritage Act, and Heritage staff have been actively involved in the review or assessment of the project.

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

Ward Councillor, Catherine McKenney – Ward 14:

"A mixed-use development on this long-vacant lot is a positive addition to Bank Street. This development integrates with the current Bank Street built form by incorporating appropriate size, massing and materiality for this mainstreet location. The cantilevered second storey and the 4th storey step back add visual interest and break up the massing on the Bank Street façade.

This site is highly walkable with access to amenities and multiple transit routes, so I appreciate that the proposal does not request an increase in resident parking and includes zero resident parking spaces.

I am disappointed that an oak tree on Florence Street will be removed to accommodate the driveway access, but I am glad to see the landscape plan shows the protection of the other four trees bordering the site."

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the report recommendation.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with the recommendations of this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report. Any Ontario Building Code requirements for accessibility will be imposed at the building permit stage.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Thriving Communities
- Sustainable Infrastructure

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-21-0005) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to workload volumes and issues needing to be resolved.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Proposed Zoning By-law Amendment

Document 3 Proposed Site Plan

Document 4 Perspective Drawing

CONCLUSION

The Planning, Infrastructure and Economic Development department supports the proposed Zoning By-law Amendment. The proposal is consistent with the Official Plan policies for intensification and compatibility on a Tradition Mainstreet. The proposed zoning amendment is appropriate for the site and maintains policy objectives. The

amendment represents good planning and, for the reasons stated above, staff recommends approval of the Zoning By-law Amendment.

DISPOSITION

Committee and Council Services, Office of the City Clerk, to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; Krista O'Brien, Program Manager, Tax Billing and Control, Finance Services department (Mail Code: 26-76) of City Council's decision.

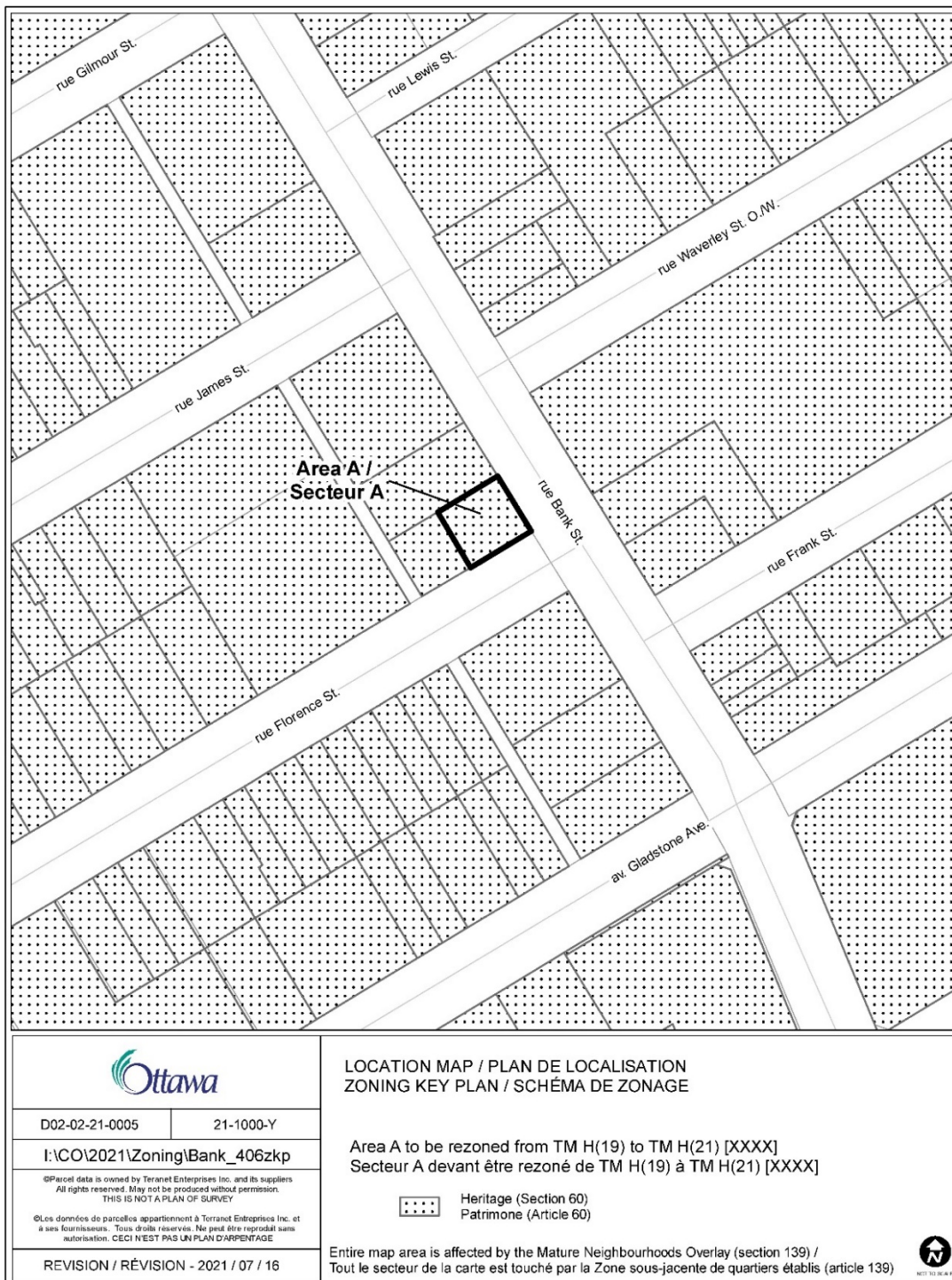
Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

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](https://geoottawa.ca)

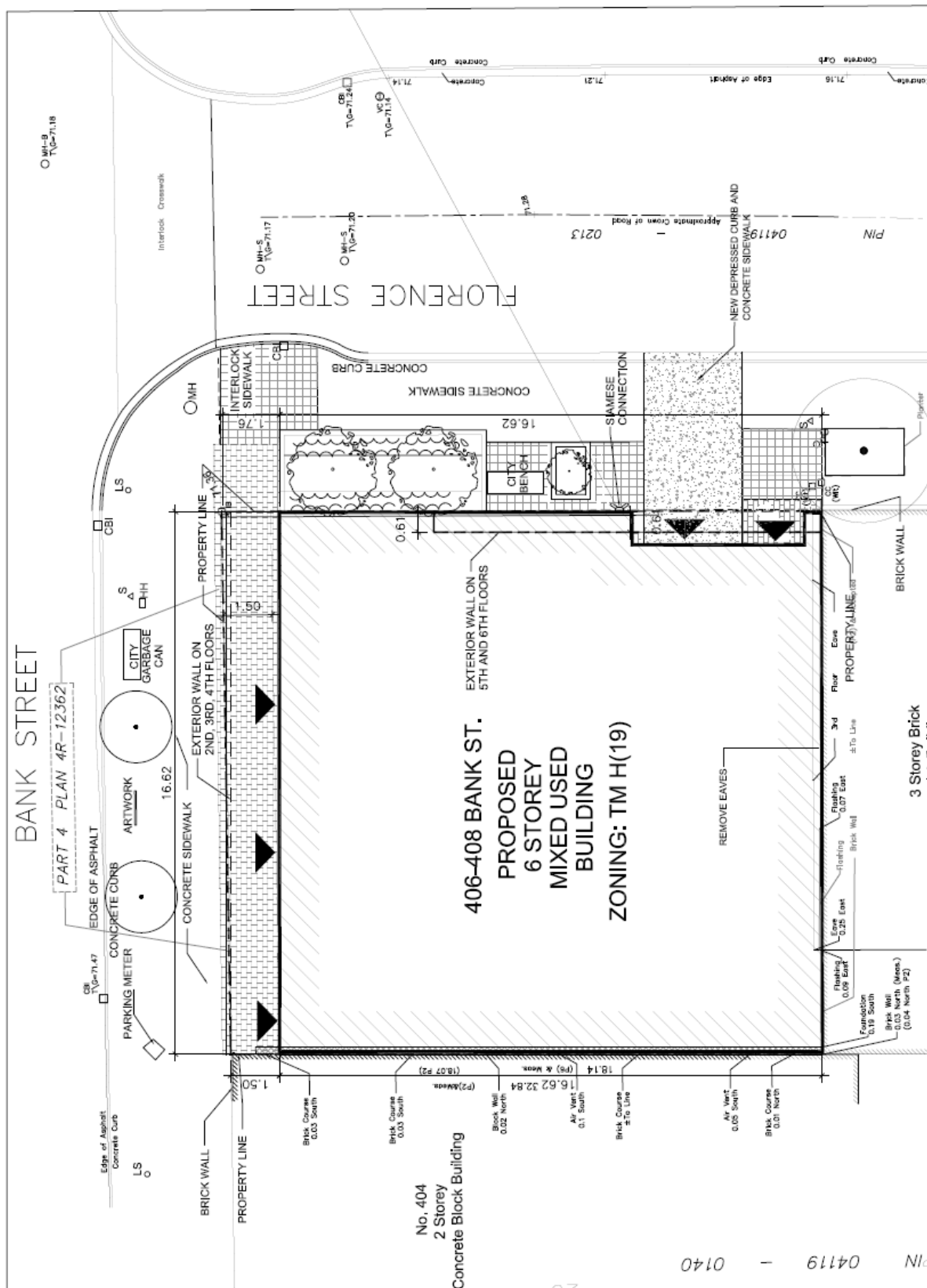


Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 406 and 408 Bank Street:

1. Area A shown in Document 1 to be rezoned from TM H(19) to TM H(21) [XXXX]
2. Add a new exception, XXXX to Section 239, Urban Exceptions, introducing provisions similar in effect to the following:
 - a. In Column II, Applicable Zoning, add the text “TM H(21) [XXXX]”;
 - b. In Column V, Provisions, add the following text:
 - i. minimum front yard setback where the building height is greater than four storeys or 15 metres: 1.5 metres more than the provided front yard setback.
 - ii. minimum setback from side yard abutting a street: 0 metres
 - iii. minimum setback from side yard abutting a street where the building height is greater than four storeys or 15 metres: 0 metres for the first 7 metres, measured from the front lot line, and 0.6 metres beyond 7 metres.
 - iv. minimum number of required visitor parking spaces: 0
 - v. Section 60 does not apply to the construction of a building that is taller than 20 metres.

Document 3 – Proposed Site Plan



Document 4 – Perspective Drawing

