

8. Zoning By-law Amendment – 1330 Carling Avenue and 815 Archibald Street
Modification du Règlement de zonage – 1330, avenue Carling et 815, rue Archibald

Committee recommendation

That Council approve an amendment to Zoning By-law 2008-250 for 1330 Carling Avenue and 815 Archibald Street to permit a 24-storey mixed use building, as detailed in Document 2.

Recommandation du Comité

Que le Conseil approuve une modification au Règlement de zonage 2008-250 visant le 1330, avenue Carling et le 815, rue Archibald, afin de permettre la construction d'un immeuble polyvalent de 24 étages, comme l'expose en détail le document 2.

Documentation/Documentation

1. Report from the Director, Planning Services, Planning, Infrastructure and Economic Development Department, dated September 8, 2021 (ACS2021-PIE-PS-0121)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 8 septembre 2021 (ACS2021-PIE-PS-0121)

2. Extract of draft Minutes, Planning Committee, September 23, 2021

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 23 septembre 2021

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
23 September 2021 / 23 septembre 2021**

**and Council
et au Conseil
13 October 2021 / 13 octobre 2021**

**Submitted on 8 September 2021
Soumis le 8 septembre 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: RIVER (16) / RIVIÈRE (16)

File Number: ACS2021-PIE-PS-0121

**SUBJECT: Zoning By-law Amendment – 1330 Carling Avenue and 815 Archibald
Street**

**OBJET: Modification du Règlement de zonage – 1330, avenue Carling et 815,
rue Archibald**

REPORT RECOMMENDATIONS

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 1330 Carling Avenue and 815 Archibald Street to permit a 24-storey mixed use building, as detailed in Document 2;**

2. That Planning Committee recommend that the implementing Zoning By-law does not proceed to City Council until the agreement under Section 37 of the *Planning Act* is executed; and
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 October 13, 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 1330, avenue Carling et le 815, rue Archibald, afin de permettre la construction d'un immeuble polyvalent de 24 étages, comme l'expose en détail le document 2;
2. Que le Comité de l'urbanisme recommande de ne pas soumettre le règlement de zonage de mise en œuvre à l'examen du Conseil avant la conclusion de l'entente prévue en vertu de l'article 37 de la *Loi sur l'aménagement du territoire*; et
3. Que le Comité de l'urbanisme approuve 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 13 octobre 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.

EXECUTIVE SUMMARY

Staff Recommendation

Planning staff recommend approval of the Zoning By-law amendment for 1330 Carling Avenue and 815 Archibald Street to permit the development of a 24-storey mixed use building which will consist of 175 residential units, 729 square metres of commercial space, 63 parking spaces and an amenity area for the residential use on the roof of the five storey podium.

The applicant has requested the following:

- Increase the maximum building height of 15 metres within 20 metres of an R4 zone and up to 30 metres greater than 30 metres from an R4 zone to 18.5 metres within 20 metres of the rear lot line, and maximum of 77 metres in height beyond 20 metres of the rear lot
- Remove the requirement for active entrances on the side lot line abutting a street
- Decrease the required parking space rate from 0.5 spaces per dwelling unit to 0.22 spaces per dwelling unit, provide for a maximum of eight parking spaces for any non-residential use where the existing required parking varied according to the use and floor area
- Decrease the required aisle width for surface parking from 6.7 metres to 6.0 metres
- For a parking lot, decrease the required landscaping buffer abutting a street from 3.0 metres to 1.6 metres

The proposal generally aligns with the Arterial Mainstreet designation of the Official Plan.

Applicable Policy

The site is designated Arterial Mainstreet pursuant to Schedule B of the Official Plan which offers opportunities for intensification through mixed-use development, along streets that are Transit Priority Corridors or are well-served by transit. This designation encourages more dense and mixed-use development that supports and is supported by increased walking, cycling and transit use. Official Plan section 3.6.3, the Westgate Secondary Plan, [Urban Design Guidelines for Development along Arterial Mainstreets](#), [Urban Design Guidelines for High-Rise Buildings](#) and [Transit-Oriented Development Guidelines](#) contain relevant policies when reviewing this application.

The following policies support this application:

- Policy 3.6.3.10 outlines that redevelopment is encouraged on Arterial Mainstreets in order to optimize the use of land through intensification, in a building format that encloses and defines the street edge with active frontages that provide direct pedestrian access to the sidewalk. The site currently contains a car dealership with the display area along Carling Avenue. The proposal provides for active frontage along Carling Avenue with parking to the rear of the building and within two levels of underground parking.
- Policy 3.6.3.12 indicates that unless otherwise stated in a Secondary Plan, building heights up to nine storeys may be permitted as of right, but High-rise buildings may only be permitted subject to a Zoning By-law amendment. A high-rise building may be considered at the subject site as it is within 400 metres walking distance of the future Merivale Road and Kirkwood Rapid Transit Stations shown on Schedule D of the Official Plan, provided the development provides a community amenity and adequate transition is provided to adjacent low-rise. The tower portion of the proposed development is located 20 metres from the rear property line which abuts lower density residential uses. The development triggers Section 37 Community Benefit.

RÉSUMÉ

Recommandation du personnel

Le personnel chargé de l'urbanisme recommande l'approbation de la modification du Règlement de zonage visant le 1330, avenue Carling et le 815, rue Archibald, afin de permettre la construction d'un immeuble polyvalent de 24 étages, un aménagement qui comprendra 175 logements, 729 mètres carrés de locaux commerciaux, 63 places de stationnement et une aire d'agrément destinée aux résidents sur le toit du socle de cinq étages.

Le requérant a demandé les dispenses suivantes :

- Augmenter la hauteur de bâtiment maximale de 15 mètres à moins de 20 mètres d'une zone R4 et jusqu'à 30 mètres à plus de 30 mètres d'une zone R4, qui passeraient à 18,5 mètres à moins de 20 mètres de la ligne de lot arrière, et à un maximum de 77 mètres au-delà de 20 mètres de la ligne de lot arrière.
- Supprimer l'exigence d'entrées actives sur la ligne de lot latérale contiguë à une rue.

- Diminuer le taux requis de places de stationnement de 0,5 à 0,22 place par logement, fournir un maximum de huit places de stationnement pour toute utilisation non résidentielle là où le taux de stationnement variait en fonction de l'utilisation et de la surface de plancher.
- Diminuer de 6,7 mètres à 6,0 mètres la largeur requise de l'allée menant à l'aire de stationnement de surface.
- Dans le cas d'une aire de stationnement, diminuer de 3 mètres à 1,6 mètre la largeur de la zone tampon paysagée contiguë à une rue.

La proposition est globalement conforme à la désignation d'artère principale du Plan officiel.

Politique applicable

L'emplacement est désigné artère principale dans l'annexe B du Plan officiel, une désignation qui offre des possibilités de densification par le biais d'aménagements polyvalents le long de couloirs prioritaires au transport en commun ou d'axes bien desservis. Cette désignation encourage les aménagements plus denses et polyvalents, qui favorisent et que favorisent une plus grande utilisation de moyens de déplacements comme la marche, le vélo et le transport en commun. La section 3.6.3 du Plan officiel, le Plan secondaire de Westgate, les [Directives d'esthétique urbaine pour l'aménagement des grandes artères](#), les [Lignes directrices d'esthétique urbaine pour les habitations de grande hauteur](#) et les [Lignes directrices sur la conception des aménagements axés sur le transport en commun](#) contiennent des politiques pertinentes pour l'examen de cette demande.

Les politiques suivantes sont favorables à cette demande :

- La politique 3.6.3.10 stipule que le réaménagement est encouragé sur les artères principales afin d'optimiser l'utilisation du sol par densification, et ce, en adoptant des normes de construction visant à entourer et à définir le bord de rue et à offrir aux piétons un accès direct au trottoir. L'emplacement est actuellement occupé par un concessionnaire automobile dont l'aire d'exposition donne sur l'avenue Carling. La proposition prévoit une façade active sur l'avenue Carling et une aire de stationnement à l'arrière de l'immeuble ainsi que sur deux niveaux de stationnement souterrain.

- La politique 3.6.3.12 indique que, sauf indication contraire dans un plan secondaire, il est possible d'autoriser de plein droit des immeubles dont la hauteur peut atteindre neuf étages, mais que les immeubles de grande hauteur ne peuvent être autorisés que sous réserve d'une modification du zonage. Un immeuble de grande hauteur peut être envisagé sur l'emplacement visé puisqu'il serait situé à moins de 400 mètres à pied de la future station de transport en commun rapide du chemin Merivale et de la station Kirkwood illustrée à l'annexe D du Plan officiel, à condition que l'aménagement prévoie une commodité communautaire et une transition adéquate avec des immeubles de faible hauteur voisins. La tour de l'aménagement proposé se trouve à 20 mètres de la limite de propriété arrière, qui donne sur des utilisations résidentielles de plus faible densité. L'aménagement entraîne l'application des avantages communautaires prévus par l'article 37.

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

1330 Carling Avenue and 815 Archibald Street

Owner

1343678 Ontario Ltd.

Applicant

Bria Aird, Fotenn Consultants Inc.

Architect

Figurr

Description of site and surroundings

The site is located at the south east quadrant of Carling Avenue and Archibald Street. The site has an area of 1,968 square metres with 39.62 metres of frontage along Carling Avenue and 49.68 metres of frontage along Archibald Street with ingress and egress from Archibald Street. To the north of the site is a six-storey office building as well as Westgate Shopping Centre. To the east is a two-storey office building and a 22-storey apartment building with ground floor retail. Immediately to the south is low density residential development. To the west is the former Travelodge site, with approved plans for Phase 1 redevelopment consisting of a 20 storey apartment with ground floor retail along Carling Avenue and an eight-storey residential building to the south. The site plan application for Phase 2 has been submitted to the City and is currently under review.

The existing car dealership on the subject site will be demolished to accommodate the proposal.

Summary of Proposed Development

The proposed development consists of 175 residential units and 729 square metres ground floor commercial space for a gross floor area of 16,761 square metres. The building is proposed to be 24 storeys with a five-storey podium. Amenity space is to be provided on the rooftop of the podium as well as within the building. Ingress and egress will be from Archibald Street and vehicle parking for residents and their visitors will be within two levels of an underground parking garage and contain a total of 55 spaces. The commercial uses will be serviced with eight at grade parking spaces on the south side of the building. Approximately 175 bicycle parking spaces are proposed. The building proposes a zero-metre setback from Carling Avenue in accordance with the applicable zoning.

Summary of requested Zoning By-law amendment proposal

The site is currently zoned Arterial Mainstreet, Subzone 10 (AM10) which permits the development of a wide variety of non-residential uses including retail stores, restaurants, and personal service businesses and residential uses up to mid rise apartment dwellings. Development is subject to requirements reflecting an Arterial Mainstreet.

The Zoning By-law amendments requested are the following:

- Increase the maximum building height from 15 metres within 20 metres of an R4 zone and up to 30 metres greater than 30 metres from an R4 zone to 18.5 metres within 20 metres of the rear lot line, and maximum of 77 metres in height beyond 20 metres of the rear lot line
- Remove the requirement for active entrances on the side lot line abutting a street
- Decrease the required parking space rate from 0.5 spaces per dwelling unit to 0.22 spaces per dwelling unit, provide for a maximum of eight parking spaces for any non-residential use where the existing required parking will vary according to the use and floor area
- Decrease the required aisle width for the surface parking from 6.7 metres to 6.0 metres
- For a parking lot, decrease the required landscaping buffer abutting a street from 3.0 metres to 1.6 metres

DISCUSSION

Public consultation

Notification and public consultation were undertaken in accordance with the Public Notification and Consultation Policy approved by Council for Development Applications.

Councillor Brockington held a community information session on June 24, 2020 to discuss the development. During this meeting, staff provided an overview of the application processes and the consultant team provided a presentation of the proposal followed by a question and answer period. Approximately seven members of the public attended.

For this proposal's consultation details, see Document 3 of this report.

Official Plan designation

The site is designated Arterial Mainstreet pursuant to Schedule B of the Official Plan and offer opportunities for intensification through mixed-use development, along streets that are Transit Priority Corridors or are well-served by transit. This designation encourages more dense and mixed-use development that supports and is supported by increased walking, cycling and transit use.

Other applicable policies and guidelines

The [Urban Design Guidelines for Development along Arterial Mainstreets](#), [Urban Design Guidelines for High-Rise Buildings](#) and [Transit-Oriented Development Guidelines](#) are applicable to the subject site and have been used to assess the application.

Policies within Section 2.2.2 of the Official Plan supports, where there is opportunity, the intensification of Mainstreets to accommodate more jobs and housing and increase transit use. Intensification may occur in a variety of built forms from low-rise to high-rise provided urban design and compatibility objectives are met. The density target for Carling is to provide 200 jobs and people per gross hectare.

Section 2.5 provides direction with respect to compatible development practices and new building projects. Compatible development means development that is not necessarily the same as or similar to existing buildings, but that enhances and coexists with existing development without causing undue adverse impacts on the surrounding properties. It 'fits well' within its physical context and 'works well' with the land use existing and planned function. Tools and design objectives for new development are provided in this section to guide compatibility and a high quality of design. These design objectives include enhancing the sense of community; defining quality public and private spaces; ensuring that new development respects the character of existing areas; and considering the adaptability and diversity of places that can adapt and evolve easily over time.

Policy 3.6.3.10 outlines that redevelopment is encouraged on Arterial Mainstreets in order to optimize the use of land through intensification, in a building format that encloses and defines the street edge with active frontages that provide direct pedestrian access to the sidewalk.

Policy 3.6.3.12 indicates that unless otherwise stated in a Secondary Plan, building heights up to nine storeys may be permitted as of right, but High-rise buildings may only

be permitted subject to a Zoning By-law amendment. A high-rise building may be considered if it is within 400 metres walking distance of a Rapid Transit Station shown on Schedule D of the Official Plan. The development is to also provide a community amenity and adequate transition is provided to adjacent low-rise.

New development is reviewed and evaluated using the policies of Section 4.11, which address urban design and compatibility to ensure that new development can integrate and is compatible with the character of the surroundings. Aspects of urban design and compatibility include building facades, potential impacts and building transitions. High-Rise buildings are to consist of three integrated parts - a base, middle and top. The base should respect the existing environment and provide animation to public spaces. The tower, consisting of the middle and top portions, should step back from the base and incorporate appropriate separation from other towers, with a general guidance of 23 metres separation distance.

Westgate Secondary Plan

The Westgate Secondary Plan was prepared to provide principles to inform the redevelopment of the Westgate Shopping Mall and surrounding properties located within the Planning Area.

The site is located within the Westgate-Carling South Transition Area which supports Carling Avenue in its varying role to provide places to live, work, shop, socialize while providing transportation on a street that is enjoyable to both pedestrians and cyclists. The built form is to have a strong urban design to protect the low-rise residential context located south of this transition area.

The south boundary of the Westgate-Carling South Transition Area is intended to function as a Neighbourhood Line, delineating the stable, low-rise areas of the Carlington neighbourhood from the lands which front onto Carling Avenue.

Urban Design Review Panel

The property is within a Design Priority Area and the concurrent Zoning By-law amendment and Site Plan Control applications were subject to the Urban Design Review Panel (UDRP) process. The applicant presented their proposal to the UDRP at a formal review meeting on July 3, 2020, which was open to the public.

The Panel's recommendations from the formal review of the Zoning By-law amendment application and Site Plan Control application are provided in Document 7:

The Panel was successful in aiding in the implementation of the following:

- The massing and aesthetic were adjusted to better accentuate the podium. A clearer line between the podium and tower is provided as well as an increase of the tower setback along the south-east face.
- The amount of “darker” and orange panels has been reduced and cladding reworked to address the Panel’s concern regarding the colour scheme and ‘heaviness’
- To establish a stronger street relationship and emphasize the podium with a vocabulary that is distinct from the tower, the ground floor façade is now a combination of a light colour masonry and high clear curtainwall. The podium cladding then transitions to a darker masonry and the tower appears more distinct with a lighter coloured panel finish. There is also a layer of landscaping transition between the sidewalk and the building face.
- To take advantage of the late afternoon sun provided to the corner unit on the northwest side, the cladding and composition have been modified to better express this corner.

The following Panel’s concerns were not implemented:

- The Panel commented the height and massing is overscaled and lacks transition to the adjacent neighbourhood. In response, the Westgate Carling Secondary Plan intends for buildings between 36 and 24 storeys in height north east of the site along Carling and up to 22 storeys as the property to the west redevelops.
- The Panel suggested surface parking should be enclosed in a one or two storey podium. In response, it is noted that the vast majority of the parking will be located in the underground garage with approximately eight surface spaces, located at the rear of the building, for the commercial establishments.

Final details on the design will be determined through the Site Plan Control process.

Planning rationale

The Arterial Mainstreet designation encourages more dense and mixed-use development that supports and is supported by increased walking, cycling and transit use. The proposed development responds to the Official Plan Policy 2.5.2 for Mainstreets as a Design Priority Area as the lands are currently underutilized as a car

dealership and the location is in proximity to transit and planned higher order transit. The proposed development is located in close proximity to Westgate Shopping Centre, which currently contains a wide variety of commercial services and at redevelopment will provide a range of land uses, including a privately owned public space (POPS). The increase in height and density for the subject site is appropriate in this context.

Policy 3.6.3.10 outlines that redevelopment is encouraged on Arterial Mainstreets in order to optimize the use of land through intensification, in a building format that encloses and defines the street edge with active frontages that provide direct pedestrian access to the sidewalk. The site currently contains a car dealership with the display area along Carling Avenue. The proposal provides for active frontage along Carling Avenue with parking to the rear of the building and within two levels of underground parking. By locating the building at the property line along Carling Avenue, the proposed building defines the street edge and provides active frontages as outlined in Policy 3.6.3.10. This provides direct pedestrian access to the sidewalk and optimizes the use of land.

Policy 3.6.3.12 indicates that unless otherwise stated in a Secondary Plan, building heights up to nine storeys may be permitted as of right, but High-rise buildings may only be permitted subject to a Zoning By-law amendment. A High-rise building may be considered at the subject site as it is within 400 metres walking distance of the future Merivale Road and Kirkwood Rapid Transit Stations shown on Schedule D of the Official Plan, provided the development provides a community amenity and adequate transition is provided to adjacent low-rise.

With respect to transition, while the proposal deviates from the existing height step-backs from the rear property line of the Zoning By-law, it maintains the intent of a transitional built-form. The proposed building will have a minimum 20-metre tower separation to the rear lot line and provides a step back from the five-storey podium. The podium itself is located approximately 12.7 metres from the rear property line. The abutting properties to the south are currently zoned R4UC, permitting low-rise residential uses. However, higher buildings may be contemplated in the future for this area given the context. The property immediately to the east is subject to the same Arterial Mainstreet designation and Official Plan policies as the subject site. This property at 1320 Carling Avenue is currently under the same ownership as 821 Archibald, therefore there is a potential for redevelopment on the consolidation of the sites. The angular plane analysis is attached as Document 6.

The impact on the surrounding properties was assessed for both operational and design matters as outlined in Section 4.11 of the Official Plan:

Noise and Air Quality – The Environmental Noise Study prepared by Paterson Group indicates no noise mitigation is required for the outdoor amenity area, specific units will require the installation of central air conditioning and warning clauses. The report recommends specific construction materials to mitigate road noise along the north, east and west elevations. No adverse noise impacts are anticipated on the existing residential community.

Sunlight – A sun shadow analysis demonstrates that there will be no adverse impacts of sun shadowing on the adjacent low density residential development to the south.

Microclimate - The Pedestrian Level Wind Study prepared by Gradient Wind Engineering Inc. was prepared and indicates that conditions around the site, including sidewalks and walkways, within the proposed parking lot, in the immediate vicinity of the building entrances and at nearby bus stops are acceptable for their intended uses throughout the year. The wind condition in the common amenity area is suitable for sitting during the summer season.

Outdoor Amenity Areas – Outdoor amenity area will be provided to the residents through a 525 square metres rooftop area. This is located on the roof of the podium, along the eastern side of the building.

Lighting – Through the Site Plan Control application, to minimize light pollution, certification will be required to confirm lighting will be limited to 0.5-foot candles at the property lines and exterior light fixtures will be designed as sharp cut off fixtures.

Urban Design Guidelines

The Urban Design Guidelines for Development along Arterial Mainstreets, Urban Design Guidelines for High-Rise Buildings and Transit-Oriented Development Guidelines are all applicable to this project and contain a number of similar directions. Applications are not required to address all the guidelines of the documents, however, the proposed site plan in Document 4 is consistent with the guidelines which speak to transitioning, street edges, massing and setback, activating streetscapes; locating parking at the rear of the building. The Site Plan Control process is ongoing and there may be opportunity to implement additional guidelines.

Zoning By-law Amendment

As detailed in Document 2, the proposed Zoning By-law amendment maintains the zoning of Arterial Mainstreet Subzone 10 (AM 10) but will introduce a new site-specific Urban Exception [XXXX] for various performance standards. The following summarizes the planning rationale for the requested amendments:

1. Increase the building height from 15-30 metres (varies depending on location) to allow for a building with a maximum height of 18.5 metres within 20 metres of the rear lot line and 10 metres of the interior side lot line, 77 metres in height beyond 20 metres from the rear lot line and 10 metres of the interior side lot line
 - Increasing density and height in close proximity to transit stations is encouraged in the Official Plan. The increase in height has also been reviewed under urban design and compatibility policies (Policies 2.5.1 and 4.11) and the proposed five-storey podium, with one point tower, placed as far from the abutting community as possible is appropriate.
 - As a height schedule is not proposed, this amendment locates the tower of the portion of the building at appropriate distances to the lots lines.
2. Remove the requirement for active entrances on the side lot line abutting a street
 - Active entrances to the development are provided along Carling Avenue, with one entrance located at Carling Avenue and Archibald Street, so although not providing an active entrance directly to Archibald Street, it has been appropriately designed to achieve the intent. The Archibald Street façade will provide windows, so there will be a visual connection with the street and the interior of the building.
3. Decrease the required parking rate from 0.5 per dwelling unit to 0.22 per dwelling unit; require a minimum of two and maximum of eight parking spaces for non-residential uses where the existing parking varies according to use and floor area
 - Given the proximity of existing and planned transit (Route 85, providing 15-minute service), a reduction in parking is appropriate. Through the Site Plan Control application, potential residents will be required to be notified that parking within the building may not be provided and if needed, they may be required to secure legal parking elsewhere.

- As a contribution to the Section 37 Community Benefit, 210 monthly transit passes will be provided by the developer to residents for a year. In addition, bicycle parking is to be provided at a rate of one space per dwelling unit, doubling the minimum requirement.
 - The site is located within walking distance to Westgate Shopping Centre, which provides a wide variety of goods and services.
 - No change is proposed to the required visitor parking rate and 16 spaces will be dedicated to comply with the requirement.
 - For non-residential uses, the eight spaces reflect the current site plan, a minimum of two spaces are required for the electric vehicle charging stations through Sec. 37 community benefit.
4. Decrease the required aisle width for the surface parking lot from 6.7 metres to 6.0 metres
- This request is to reduce the width of the access aisle for the surface parking lot. Staff have no concern reducing this requirement as the number of potential vehicles maneuvering into this aisle is relatively small at eight spaces and given the 90 degree configuration of the access to the underground parking, vehicle speed is expected to be low.
5. For a parking lot, decrease the required landscaping buffer abutting a street from 3.0 metres to 1.6 metres
- The required landscaping buffer cannot be provided for a small portion along Archibald Street, at the vehicle access entrance. The effect of this reduction will be minimal as 17.8 per cent of the parking area will be landscaped, greater than the minimum requirement of 15 per cent.

Section 37 Agreement

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

The proposed zoning permits a maximum floor area of 16,808 square metres while the as of right zoning permits 11,334 square metres, representing an increase of more than 25 per cent and therefore triggering 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 height and density.

In accordance with the Council-approved guidelines, the amount of the Section 37 contribution for this proposal has been determined to be \$250,000.00. This amount will be directed as follows:

- \$125,000 toward the expansion/improvement of the Carlington Community Garden (McBride Street and Woodward Avenue) located within Carlington Park, 937 Clyde Avenue North/1640 Laperriere Avenue and
- \$125,000 toward local area traffic calming.

The following non-monetary contributions will be provided and secured through the Site Plan Control application:

- Provision of 87 bicycle parking spaces beyond the minimum zoning requirement. The resulting provision of bicycle parking will be, at minimum, a rate of one space per dwelling unit
- Two electric vehicle charging stations available to the public
- Two bicycle repair stations, with one accessible to the public

- Provision of 210 preloaded monthly transit passes for residents for a period of one year

The details of the Section 37 contributions are also contained within the Zoning By-law amendment (see Document 2). These community benefits will be secured prior to the issuance of the first building permit and details on final Section 37 contribution will be contained within the Section 37 Agreement and will be 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. 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 anticipated rural implications.

COMMENTS BY THE WARD COUNCILLOR

Councillor Brockington is aware of the application related to this report.

As the abutting Ward Councillor, Councillor Leiper is also aware of the application related to this report.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

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

FINANCIAL IMPLICATIONS

In accordance with the Council-approved guidelines, the amount of the Section 37 contribution for this proposal has been determined to be \$250,000 and will be directed as follows. This contribution will be secured prior to the issuance of the first building permit and will be 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.

- \$125,000 toward the expansion/improvement of the Carlington Community Garden (McBride Street and Woodward Avenue) located within Carlington Park, 937 Clyde Avenue North/1640 Laperriere Avenue and
- \$125,000 toward local area traffic calming

The following non-monetary contributions will be provided and secured through the Site Plan Control application:

- Provision of 87 bicycle parking spaces beyond the minimum zoning requirement. The resulting provision of bicycle parking will be, at minimum, a rate of one space per dwelling unit
- Two electric vehicle charging stations available to the public
- Two bicycle repair stations, with one accessible to the public
- Provision of 210 preloaded monthly transit passes for residents for a period of one year

ACCESSIBILITY IMPACTS

The proposed development will be required to meet the accessibility criteria contained with the Ontario Building Code.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Thriving Communities
- Integrated Transportation

APPLICATION PROCESS TIMELINE STATUS

This application (Development Application Number: D02-02-20-0038) was not processed by the "On Time Decision Date" established for the processing of Zoning By-law amendments due to the complexity associated with the urban design analysis and the concurrent processing of the Site Plan Control application (D07-12-20-0011).

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Consultation Details

Document 4 Proposed Site Plan

Document 5 Proposed Development Images

Document 6 45 Degree Angular Plane Analysis

Document 7 Urban Design Review Panel

CONCLUSION

The Planning, Infrastructure and Economic Development Department recommends approval for the Zoning By-law amendment application to permit the development of a 24-storey mixed use building. The proposed amendments are consistent with the Provincial Policy Statement and conforms to the City's Official Plan.

DISPOSITION

Committee and Council Services, Office of the City Clerk, 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.

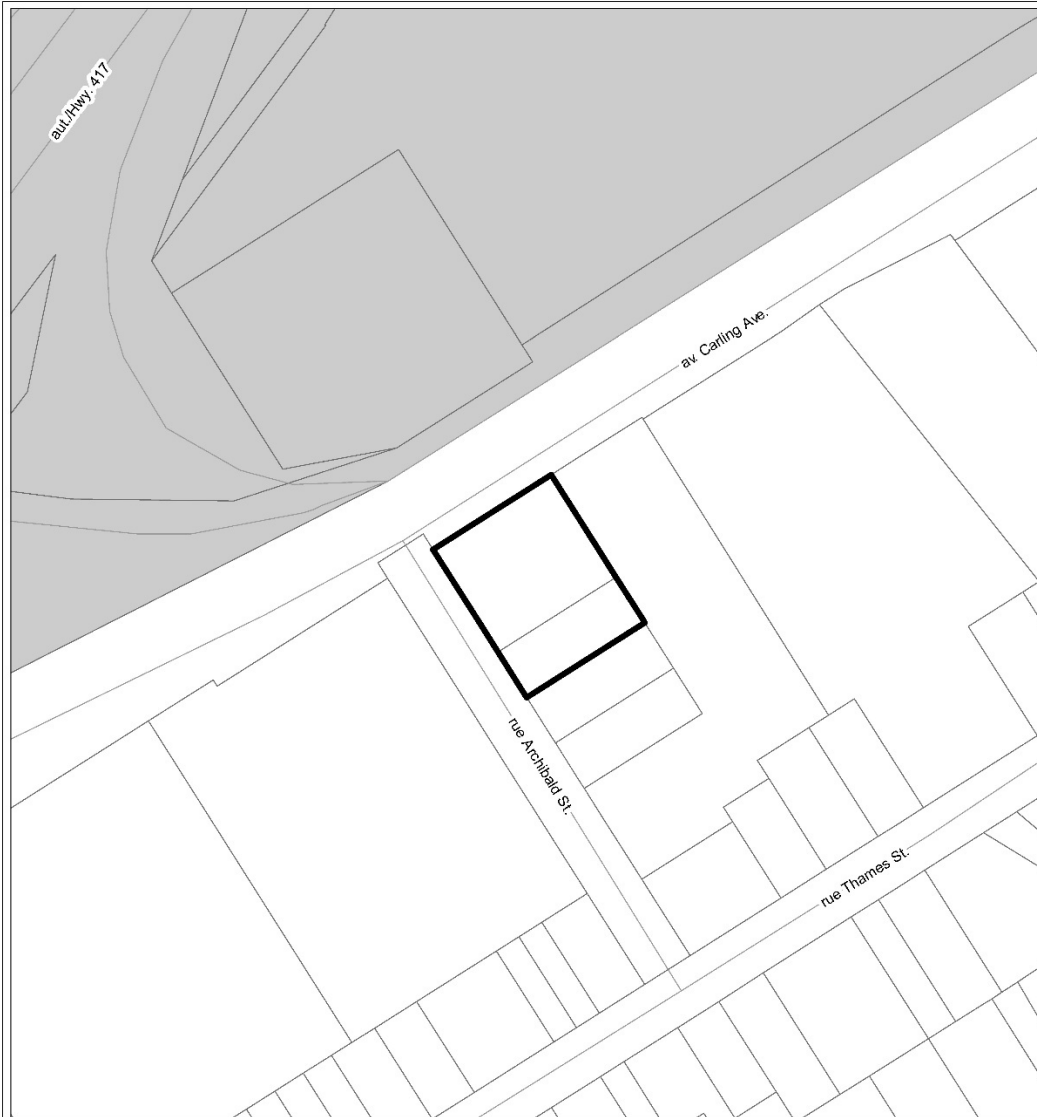
Legal Services, Innovative Client Services Department to prepare the Section 37 agreement, for execution by owner. Legal Services, Innovative Client Services



Department to forward the implementing by-law to City Council upon execution of the Section 37 agreement.

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

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa.



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE SITE PLAN / PLAN D'EMPLACEMENT	
D02-02-20-0038 D07-12-20-0063	20-0477-L	<div style="display: flex; align-items: center; gap: 10px;"> <div style="border: 2px solid black; width: 30px; height: 15px; margin-right: 5px;"></div> <p>1330 av. Carling Ave. 815 rue Archibald St.</p> </div> <div style="display: flex; align-items: center; gap: 10px; margin-top: 10px;"> <div style="background-color: #cccccc; width: 20px; height: 10px; margin-right: 5px;"></div> <p style="font-size: x-small;">Mature Neighbourhoods Overlay (section 139) Zone sous-jacente de quartiers établis (article 139)</p> </div>	
I:\CO\2020\Zoning\Carling_1330_Archibald_815 ©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 ©Les données de parcelles appartiennent à Teranet Entreprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE			
REVISION / RÉVISION - 2020 / 06 / 05			

Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 1330 Carling Avenue/815 Archibald Street:

1. Rezone the lands shown in Document 1 from AM10 to AM10[XXXX]
2. Add Exception XXXX in Section 239, Urban Exceptions, with provisions similar in effect to the following:
 - a. In Column II, add the following text:
 - i. AM10 [XXXX]
 - b. In Column V, include provisions similar in effect to the following:
 - i. Maximum building height of 18.5 metres within 20 metres of the rear lot line and 10 metres of the interior side lot line, maximum of 77 metres in height beyond 20 metres of the rear lot line and 10 metres of the interior side lot line
 - ii. An active entrance is not required along the side lot line abutting a street
 - iii. Parking to be provided at a rate of 0.22 spaces per residential unit, a minimum of two and a maximum of eight parking spaces to be provided for non-residential uses
 - iv. Minimum required aisle width for the surface parking lot is 6.0 metres
 - v. For a parking lot, minimum landscaping buffer abutting a street is 1.6 metres
 - vi. The following provisions dealing with Section 37 authorization apply:
 - (a) Pursuant to Section 37 of the *Planning Act*, the 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 X 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 ii. below.

- (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 X 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.

3. The following will be added as Section X of Part 19 of the Zoning By-law, will be titled 1330 Carling Avenue/815 Archibald Street and will set out the facilities, services and matters that must be provided as per Section 37 of the *Planning Act*:

1330 Carling Avenue/815 Archibald Street

(X) The following applies to 1330 Carling Avenue/815 Archibald Street

- (a) The City shall require that the owner of the lands at 1330 Carling Avenue/815 Archibald 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, Infrastructure and Economic Development Department, 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. The total value monies to be secured being \$250,000 to the City, 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.

- (b) The specific benefits to be secured and provided are:
- i. \$125,000 toward the expansion/improvement of the Carlington Community Garden (McBride Street and Woodward Avenue) located within Carlington Park, 937 Clyde Avenue North/1640 Laperriere Avenue and
 - ii. \$125,000 toward local area traffic calming.
- (c) The public benefits to be secured through site plan approval and without a monetary contribution and are as follows:
- i. Provision of 87 bicycle parking spaces beyond the minimum zoning requirement. The resulting provision of bicycle parking will be, at minimum, a rate of one space per dwelling unit
 - ii. Two electric vehicle charging stations available to the public
 - iii. Two bicycle repair stations, with one accessible to the public
 - iv. Provision of 210 preloaded monthly transit passes for residents for a period of one year
- (d) 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.

Document 3 – 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. A Councillor lead community meeting was held electronically on June 24, 2020. Approximately seven members of the public were in attendance.

Below is a summary of comments received regarding the applications.

Public Comment	Staff Response
Concern regarding reduced parking and impact of spillage onto local streets	<ul style="list-style-type: none"> • The site is currently serviced by transit and LRT is planned along this corridor • Section 37 will provide for transit passes and additional bicycle parking and are to be secured through the site plan application • Notice to residents will indicate that they may not be provided with on-site parking and may need to secure legal parking off-site • On street parking restricted to 3 hours, staff will investigate need for signage
Concern with light spillage	<ul style="list-style-type: none"> • As a condition of site plan approval, a Site Lighting Certificate is required prior to the issuance of a building permit to indicate maximum light at property line does not exceed 0.5 fc
Concern with shadowing effect	<ul style="list-style-type: none"> • The Sun Shadow Study indicates the majority of shadowing will be on Carling Avenue. At certain periods, shadowing will occur on the residential development to the east, however, there are minimal windows on the western façade. Shadowing to portions of the residential area to

	the south is expected after 6:00 pm in the summer season.
Should reconsider density in light of pandemic	<ul style="list-style-type: none">• Healthy communities depend on a variety of housing types• Planning is one tool to promote positive health outcomes
Cycling infrastructure should not be shared with bus lanes	<ul style="list-style-type: none">• The Carling Avenue Environmental Assessment indicates cycling facilities will be separate from transit priority lane
Height transition is not appropriate	<ul style="list-style-type: none">• A tower separation of 20m is provided

The Carlington Community Association expressed concerns with the reduced parking and the medium term impact this may have in the immediate neighbourhood, given the ongoing redevelopment of the Travelodge site. The Association also expressed concerns with inadequate transition given the proposed height.

Document 5 – Proposed Development Images



View looking North-East to Carling Avenue, from Archibald Street



View looking South-West to Archibald Street, from Carling Avenue



View looking South-East, from Carling Avenue

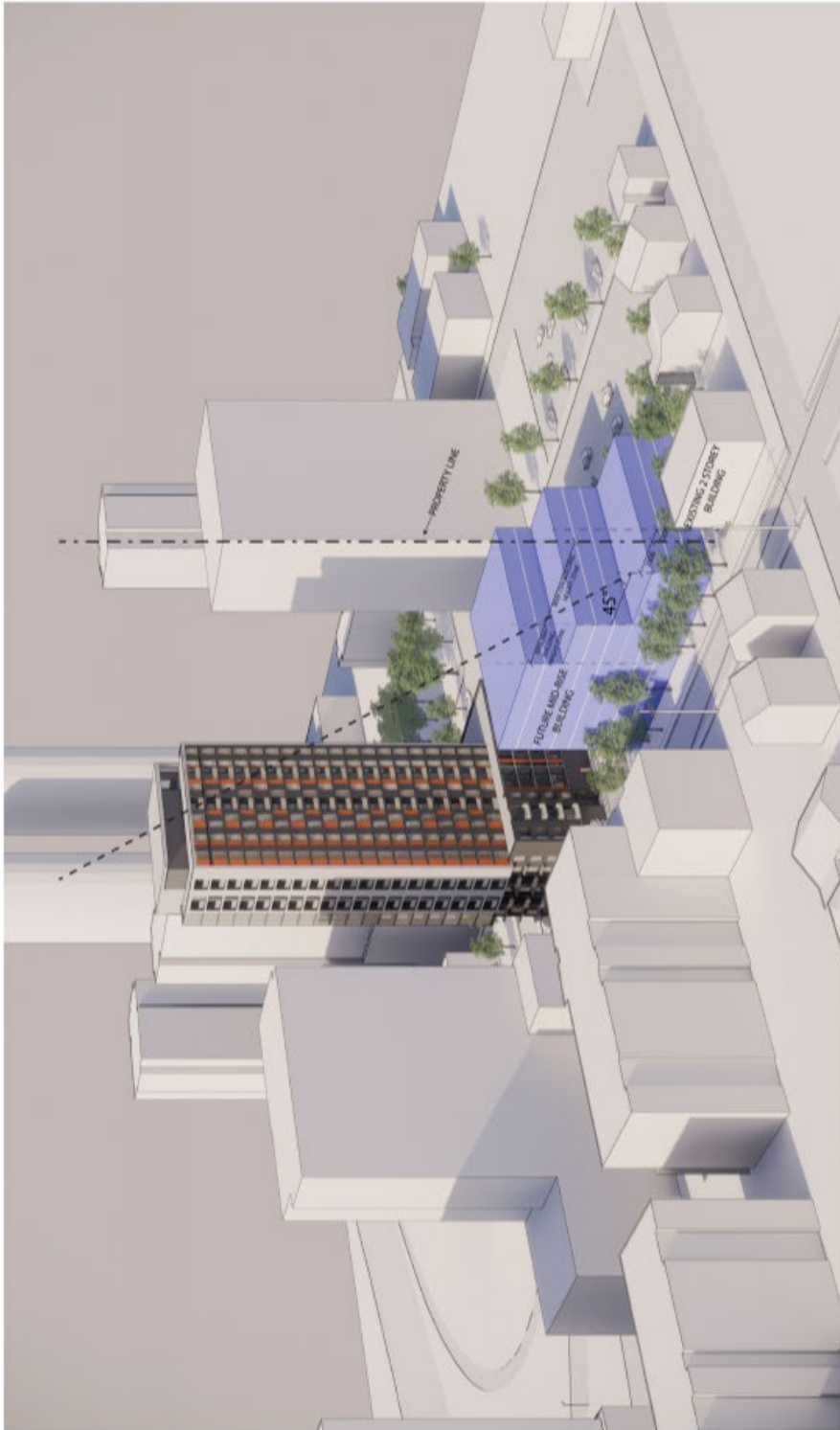


View from Archibald Street



Commercial entrance at Carling Avenue and Archibald Street, façade along Archibald Street

Document 6 – 45 Degree Angular Plane Analysis



24 STOREY MIXED-USE BUILDING
1330 CARLING AVENUE

Angular Plane Diagram

FOTENN
Planning + Design

figuiri
architects
interiors

Document 7 – Urban Design Review Panel

Formal Review-July 3, 2020

1330 CARLING AVENUE and 815 ARCHIBALD STREET | Formal Review | Zoning By-law Amendment and Site Plan Control Application | Figurr Architects Collective

Summary

- The Panel recognizes the importance of this site and the need for change in the area, however, is concerned with the proposed height of the building, given the size of the site, and the lack of transition to the adjacent neighbourhood.
- The Panel appreciates the various setbacks but stressed the importance of base-middle-top approach to design and recommends a stronger podium expression. The Panel also expressed concerns about the use of dark materials and the use of the selected bright orange colour.

Height and Transition

- The Panel felt strongly that the height and mass of the proposal is over-scaled for this site and lacks transition to the adjacent neighbourhood. Acquiring additional property may help to improve the proposal.
- From a long-term perspective, the Panel is not confident that the proposed development will contribute to the sense of scale and community that the City wants to create along Carling Avenue.
- Surface parking should be enclosed in a one or two storey podium which would create a better transition to the neighbourhood.

Built Form

- The Panel recommends establishing stronger street relationship and emphasizing the podium with a vocabulary that is distinct from the tower.
- Better transitioning should be introduced on Archibald Street, where there is a very tight sidewalk, and the proposed tower is at 24 storeys without a step back. The design should incorporate a wider set back with soft landscaping and trees. The tower should step back another 3m above that so that you can achieve that scale on Archibald.

- One Panel member suggested, to improve the transitioning, acquiring additional property to the south may assist with providing an angular plane transition.
- The idea of viewing the podium and the tower as a single L-shaped element is a noble concept; however, the type of precision with metal panel is very difficult to achieve unless a metal plate material is used, which is very expensive. It is very difficult to wrap the frame, that this design relies upon.
- The ground floor appears under scaled compared to the rest of the building.
- Consider wrapping the amenity along the roof so a second exit from the roof terrace can still be achieved and the entire roof area can become amenity space.

Architecture Expression and Materials

- The Panel cautions the use of the metal panel, as it can be problematic in different climatic conditions.
- The colour palette of the building is dark and heavy. It should reflect and create a more neighbourhood feel. Consider a residential scale module like brick.
- The corner unit on the northwest side, will have late afternoon sun exposure that should be embraced as an opportunity in the design. Explore wrapping the corner with glazing.