

**2. Official Plan Amendment and Zoning By-law Amendment - 112 Montreal Road and 314 Gardner Street**

**Modification du Plan officiel et modification du Règlement de zonage – 112, chemin de Montréal et 314, rue Gardner**

**Committee recommendations**

**That Council approve:**

- 1. an amendment to the current Official Plan, Volume 2a, Secondary Plans, Montreal Road District Secondary Plan for 112 Montreal Road and 314 Gardner Street to permit three residential buildings of 37, 28, and 16 stories, and one eight-storey mixed-use building, as detailed in Document 2;**
- 2. an amendment to the new Official Plan, Volume 2A, Urban Secondary Plans, Montreal Road District Secondary Plan for 112 Montreal Road and 314 Gardner Street to permit three residential buildings of 37, 28, and 16 stories, and one eight-storey mixed-use building, as detailed in Document 2;**
- 3. an amendment to the Zoning By-law 2008-250 for 112 Montreal Road and 314 Gardner Street to permit three residential buildings of 37, 28, and 16 stories, and one eight-storey mixed-use building, as detailed in Documents 3 and 4 (as amended); and,**
- 4. 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.**

### **Recommandations du Comité**

Que le Conseil approuve :

1. une modification au Plan officiel actuel, Volume 2a, Plans secondaires, Plan secondaire du district du chemin de Montréal, visant le 112 chemin de Montréal et le 314, rue Gardner, afin de permettre la construction de trois immeubles résidentiels de 37, 28 et 16 étages et d'un immeuble polyvalent de huit étages, comme l'expose en détail le document 2;
2. une modification au nouveau Plan officiel, Volume 2A, Plans secondaires urbains, Plan secondaire du district du chemin de Montréal, visant le 112 chemin de Montréal et le 314, rue Gardner, afin de permettre la construction de trois immeubles résidentiels de 37, 28 et 16 étages et d'un immeuble polyvalent de huit étages, comme l'expose en détail le document 2;
3. une modification au Règlement de zonage 2008-250 visant le 112, chemin de Montréal et le 314, rue Gardner, afin de permettre la construction de trois immeubles résidentiels de 37, 28 et 16 étages et d'un immeuble polyvalent de huit étages, comme l'exposent en détail les documents 3 et 4 (tel que modifié); et,
4. de ne pas examiner le règlement de zonage de mise en œuvre avant la conclusion de l'entente prévue en vertu de l'article 37 de la *Loi sur l'aménagement du territoire*.

Documentation/Documentation

1. Report from the Acting Director, Planning Services, Planning, Real Estate and Economic Development Department, dated February 25, 2022 (ACS2022-PIE-PS-0016)

Rapport de la Directrice par intérim, Services de la planification, Direction générale de la planification, des biens immobiliers et du développement économique, daté le 25 février 2022 (ACS2022-PIE-PS-0016)

2. Extract of draft Minutes, Planning Committee, March 10, 2022

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 10 mars 2022

**Subject: Official Plan Amendment and Zoning By-law Amendment - 112  
Montreal Road and 314 Gardner Street**

**File Number: ACS2022-PIE-PS-0016**

**Report to Planning Committee on 10 March 2022  
and Council 30 March 2022**

**Submitted on February 25, 2022 by Lily Xu, Acting Director, Planning, Real Estate  
and Economic Development**

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

**613-580-2424, 27889, [steve.gauthier@ottawa.ca](mailto:steve.gauthier@ottawa.ca)**

**Ward: Rideau-Vanier (12)**

**Objet : Modification du Plan officiel et modification du Règlement de zonage  
– 112, chemin de Montréal et 314, rue Gardner**

**Dossier : ACS2022-PIE-PS-0016**

**Rapport au Comité de l'urbanisme**

**le 10 mars 2022**

**et au Conseil le 30 mars 2022**

**Soumis le 25 février 2022 par Lily Xu, Directrice par intérim, Direction générale de  
la planification, des biens immobiliers et du développement économique**

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

**613-580-2424, 27889, [steve.gauthier@ottawa.ca](mailto:steve.gauthier@ottawa.ca)**

**Quartier : Rideau-Vanier (12)**

## **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to the current Official Plan, Volume 2a, Secondary Plans, Montreal Road District**

Secondary Plan for 112 Montreal Road and 314 Gardner Street to permit three residential buildings of 37, 28, and 16 stories, and one eight-storey mixed-use building, as detailed in Document 2.

2. That Planning Committee recommend Council approve an amendment to the new Official Plan, Volume 2A, Urban Secondary Plans, Montreal Road District Secondary Plan for 112 Montreal Road and 314 Gardner Street to permit three residential buildings of 37, 28, and 16 stories, and one eight-storey mixed-use building, as detailed in Document 2.
3. That Planning Committee recommend Council approve an amendment to the Zoning By-law 2008-250 for 112 Montreal Road and 314 Gardner Street to permit three residential buildings of 37, 28, and 16 stories, and one eight-storey mixed-use building, as detailed in Documents 3 and 4.
4. 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.
5. 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 March 30, 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 d'approuver une modification au Plan officiel actuel, Volume 2a, Plans secondaires, Plan secondaire du district du chemin de Montréal, visant le 112 chemin de Montréal et le 314, rue Gardner, afin de permettre la construction de trois immeubles résidentiels de 37, 28 et 16 étages et d'un immeuble polyvalent de huit étages, comme l'expose en détail le document 2.

2. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au nouveau Plan officiel, Volume 2A, Plans secondaires urbains, Plan secondaire du district du chemin de Montréal, visant le 112 chemin de Montréal et le 314, rue Gardner, afin de permettre la construction de trois immeubles résidentiels de 37, 28 et 16 étages et d'un immeuble polyvalent de huit étages, comme l'expose en détail le document 2.
3. Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage 2008-250 visant le 112, chemin de Montréal et le 314, rue Gardner, afin de permettre la construction de trois immeubles résidentiels de 37, 28 et 16 étages et d'un immeuble polyvalent de huit étages, comme l'exposent en détail les documents 3 et 4.
4. Que le Comité de l'urbanisme recommande au Conseil de ne pas examiner le règlement de zonage de mise en œuvre avant la conclusion de l'entente prévue en vertu de l'article 37 de la Loi sur l'aménagement du territoire.
5. 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 30 mars 2022 », sous réserve des observations reçues entre le moment de la publication du présent rapport et la date à laquelle le Conseil rendra sa décision.

## EXECUTIVE SUMMARY

### Staff Recommendation

Planning staff recommend approval of the amendment to the Official Plan and the Montreal Road District Secondary Plan with site specific policies, as well as the Comprehensive Zoning By-law for 112 Montreal Road and 314 Gardner Street, to allow three residential high rise buildings of 37, 28, and 16 stories, and one mid-rise

eight-storey mixed-use building on a Traditional Mainstreet frontage, where six storey is permitted.

The subject property is currently zoned Traditional Mainstreet TM[2363] F(3.5) S365-h. The [2363] represents a site-specific exception applying to the property, a Floor Space Index limiting the gross floor area of the building to a maximum of 3.5 times the lot area, a height schedule that limits the maximum height to 57 metres or 18 storeys, and a holding provision to ensure Site Plan Control conditions, an approved road closing, and an approved road opening.

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

- At the discretion of the Ward Councillor, a cash contribution of \$787,498.15 towards any or all of the following:
  - Traffic calming measures
  - Local parks improvements
  - Community improvements such as landscaping and lighting.
  - Notwithstanding the foregoing, the City may apply the money to an affordable housing agreement to provide affordable housing on the property.

All the above money contributions are applicable to Ward 12.

- 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:
  - Bike lane along Vanier Parkway
  - Publicly accessible bike repair station to be operated and maintained by the property owner
  - Publicly accessible landscaped courtyard (POPS)
  - Publicly accessible children's play area
  - Child-care facility for the use of future occupants and the surrounding community

- Public art
- 20 per cent of total units are three-bedroom or two-bedroom+den
- Five public electric vehicle charging stations at grade
- Tri-sorter refuse/recycling system
- Energy conserving insulation + double glazed low-e argon windows

### **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 5.2 - Inner Urban Transect

The Inner Urban Transect is generally planned for mid-to high-density development, subject to proximity and access to frequent street transit or rapid transit.

##### 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 and New Montreal Road District Secondary Plan

##### Section 1.3 / 4.1: West Sector

The primary role of the West Sector is the entryway from downtown into the district. While employment is an important and necessary component of this Sector, a greater

mix of uses is necessary to draw urban activity across the Cummings Bridge from the west.

### **Public Consultation/Input**

The applicant presented his proposal at a public information session held on June 16, 2021.

The session was organized by Councillor Fleury's Office where his staff, Development Review staff and the local community participated.

## **RÉSUMÉ**

### **Recommandation du personnel**

Le personnel chargé d'urbanisme recommande l'approbation de la modification, par des politiques propres à l'emplacement, du Plan officiel et du Plan secondaire du chemin de Montréal, et du Règlement de zonage général visant le 112, chemin de Montréal et le 314, rue Gardner, afin de permettre la construction de trois immeubles résidentiels de 37, 28 et 16 étages et d'un immeuble polyvalent de huit étages donnant sur une rue principale traditionnelle, alors qu'une hauteur maximale de six étages est autorisée.

La désignation actuelle de la propriété est Zone de rue principale traditionnelle TM[2363] F(3.5) S365-h. On remarque dans cette désignation une mention [2363] correspondant à une exception propre à l'emplacement, un rapport plancher-sol limitant la surface de plancher hors œuvre brute de l'immeuble à 3,5 fois la superficie du lot, une annexe de hauteur limitant la hauteur maximale à 57 mètres ou 18 étages, et une disposition d'aménagement différé permettant de garantir les conditions du plan d'implantation, une fermeture de rue approuvée et une ouverture de rue approuvée.

Les avantages communautaires suivants seront garantis dans le cadre d'une entente conclue en vertu de l'article 37 :

- À la discrétion du conseiller du quartier, un apport en argent de 787 498,15 \$ pour l'une ou l'ensemble des mesures suivantes :
  - Mesures de modération de la circulation
  - Améliorations à des parcs locaux

- Améliorations communautaires, notamment en matière d'aménagement paysager et d'éclairage
- Nonobstant ce qui précède, la Ville peut affecter cette somme à une entente de logement abordable permettant la création de tels logements sur la propriété.

Tout apport en argent susmentionné est applicable au quartier 12.

- Par ailleurs, les apports en nature suivants seront faits dans le cadre de l'entente conclue en vertu de l'article 37 et seront garantis par l'intermédiaire de cette entente ou du processus d'approbation du plan d'implantation, selon l'option la plus appropriée :

- Voie cyclable le long de la promenade Vanier
- Un poste de réparation public de vélos, exploité et entretenu par le propriétaire
- Une cour paysagée publique (espace public appartenant à des intérêts privés)
- Aire de jeux publique pour enfants
- Garderie à la disposition des futurs occupants et des résidents du secteur
- Œuvre d'art publique
- Vingt pour cent des logements disposant de trois chambres à coucher ou de deux chambres à coucher et un coin-détente
- Cinq bornes de recharge publiques pour véhicules électriques
- Système de tri et de recyclage des déchets
- Fenêtres à faible émissivité avec argon, à conservation d'énergie et à double vitrage

## **Politique applicable**

### Plan officiel actuel

#### Section 3.6.3 – Rues principales

Cette section stipule que la désignation de couloir de rues principales comprend des rues qui offrent d'importantes perspectives de densification grâce aux aménagements de moyenne densité et polyvalents, dans les rues qui constituent des couloirs prioritaires de transport 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 favorisent une plus grande utilisation de moyens de déplacements comme la marche, le vélo et le transport en commun.

#### Nouveau Plan officiel

##### Section 5.2 – Transect du secteur urbain intérieur

Le transect du secteur urbain intérieur est généralement planifié pour les aménagements de moyenne et de grande densité, sous réserve d'un accès à un service fréquent de transport en commun sur voirie ou rapide.

##### 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 du district du chemin de Montréal actuel et nouveau

##### Section 1.3 / 4.1 – Secteur Ouest

Le secteur Ouest a pour fonction principale de servir de porte d'entrée au district depuis le centre-ville. Bien que l'emploi représente un volet important et nécessaire dans ce secteur, une plus grande variété d'utilisations doit être offerte pour attirer l'activité urbaine de l'autre côté du pont Cummings depuis l'ouest.

#### **Consultation publique et commentaires**

Le requérant a présenté son projet à l'occasion d'une séance d'information publique qui s'est déroulée le 16 juin 2021.

Cette séance a été organisée par le bureau du conseiller Fleury. Des membres de son personnel, des représentants d'Examen des projets d'aménagement et des résidents du secteur y ont participé.

## **BACKGROUND**

### **Site location**

112 Montreal Road and 314 Gardner Street

### **Owner**

2705460 ONTARIO INC.

### **Applicant**

Scott Alain – FoTenn Planning + Design

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

The subject site is approximately one hectare in size and is located in the Vanier South neighbourhood. It is bounded by Montreal Road to the north, Vanier Parkway to the east, Gardner Street to the south, and Palace Street to the west. The site used to contain a motel use but is now vacant.

There is a gas station to the north, abutting the Vanier Parkway and Montreal Road intersection and commercial buildings fronting Montreal Road to the west. Also, to the west, along Palace Street, is a mix of residential uses while a large warehouse is located to the south. There is a mix of single detached, townhouses and low-rise apartments on Gardner Street to the south of the property. The Rita Thompson Residence is located immediately south.

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

The proposed Official Plan Amendment would add a Site-Specific Exception to Section 1.3 / 4.1: West Sector of the current and new Montreal Road District Secondary Plan as follows:

- Notwithstanding Policy 2 of Section 1.3 / 4.1: West Sector, on the lands municipally known as 112 Montreal Road and 314 Gardner Street, building

heights ranging from eight up to 37 storeys may be permitted provided that the following criteria are met:

- a. The criteria in Policy 3 below.
  - b. All high-rise buildings will have a **maximum tower floorplate of 800 square metres and minimum separation distances of 22 metres** to address the impacts on shadowing, the micro-climate and public views. For those high-rise buildings with a podium or base, the minimum separation distance is required between the tower portions of the high-rise buildings. All high-rise buildings are oriented towards either the Traditional Mainstreet or the Vanier Parkway.
  - c. The design of the site will include setbacks from adjacent low-rise uses.
3. The design of the site will:
- a. **Include a maximum eight storey building height along the Traditional Mainstreet. Where the height of a building along a Traditional Mainstreet is greater than four storeys, a building must be setback a minimum of 2 metres more than the provided setback from the front lot line.** For high-rise buildings, a maximum six storey podium height will be permitted.
  - b. Provide for adequate setbacks and built form transition to adjacent low-rise residential and institutional uses including:
    - i. **minimum separation distance of 22 metres between the tower portion of high-rise buildings and R1, R2, R3, and R4 Zones.**
    - ii. maintaining the minimum interior side yard setback provisions as contained in the TM Zone.
    - iii. **providing podium of a maximum height of four storey for a high-rise building abutting low-rise residential uses.**
  - c. Address shadowing impacts and overlook onto residential and institutional areas by **ensuring a window of sun exposure for most of the day for**

**abutting low-rise residential uses and minimising the number of towers abutting low-rise residential uses.**

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

The subject property is currently zoned TM[2363] F(3.5) S365-h, which means Traditional Mainstreet with a site-specific exception, a Floor Space Index limiting the floor area to a maximum of 3.5 times the lot area, a height schedule that limits the maximum height to 57 metres or 18 storeys, and a holding provision. The exception, schedule, and holding provisions are tailored to prescribe the development of the property in line with a previously approved design.

The Zoning By-law amendment is being proposed in order to amend Exception 2363, remove the Floor Space Index, and replace Schedule 365. The new provisions would be as follows:

1. Replace “townhouse dwellings” with “apartment dwelling, high-rise” to the list of permitted uses.
- 2.. Maximum building heights and minimum required setbacks as per Schedule 365.
3. Table 197 does not apply.
4. The landscaping requirement when abutting R4 zones is 1.2 metres.
5. For the purposes of Parts 4 and 5 of this By-law, all lands zoned TM [2363] S365-h are considered one lot for zoning purposes.
6. Permitted projections under Section 65 are not subject to the maximum height limits of Schedule 365.
7. The holding symbol may not be removed until the road closing is approved for the northern segment of Gardner Street.

**Brief history of proposal**

A previous Zoning By-law amendment was approved on the subject property in 2016 to permit four residential towers, two 18-storeys, one 15-storey, and one 13-storey, a six-storey mixed use building on Montreal Road, and a seven-storey residential building on Gardner Street. The proposed development never proceeded to construction and

has since changed ownership. The present proposal now features three residential towers of 16, 28, and 37 storeys, and an eight-storey mixed-use building fronting onto Montreal Road for a total of 872 units.

The applicant presented the proposal at a public information session held on June 16, 2021. The session was organized by Councillor Fleury's Office where his staff, Development Review staff and the local community participated.

## **DISCUSSION**

### **Public Consultation**

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

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

Applications must be evaluated against the existing Official Plan and must also include an evaluation of the application against the Council approved new Official Plan (and new Secondary Plan, where applicable).

In this current period, between Council approval of the New OP and the Minister's approval of the New OP, staff are to apply whichever provision, as between the Current and New OP, is more restrictive.

### **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.

Policy 15. States that high-rise 31+ buildings will only be permitted where they are identified in a secondary plan that addresses the requirements of Section 2.5.6; or permitted by an amendment to an existing secondary plan that already allows High-Rise buildings; and where the High-Rise 31+ buildings will be:

- a. located generally within 400 metres walking distance of a Rapid Transit Station identified on Schedule D to maximize transit use; and
- b. separated from planned low-rise residential areas by a suitable transition as required by Section 4.11 policies 11 and 12.

Policy 16 states that the location of High-Rise and High-Rise 31+ buildings is influenced by the need to provide an adequate separation distance from other existing and potential future High-Rise buildings. Separation distances between buildings are to be considered when considering sites for development of High-Rise buildings and High-Rise 31+ buildings.

Policy 17 states that for Official Plan amendments to increase building heights that are established in Section 3 of this Plan, or in a secondary plan, the proponent must demonstrate that the following criteria are met:

- a. the impacts on the surrounding area (e.g. the community design plan study area) have been assessed comprehensively;
- b. the direction in policy 10 above is met;
- c. the requirements of Section 2.5.6 where the proposal involves a High-Rise or High-Rise 31+ building; and
- d. an identified community amenity is provided.

Policy 22 of Section 2.2.2 states that intensification that is compatible with the surrounding context will also be supported on: brownfield sites that have been remediated; on underdeveloped sites such as current or former parking lots; in extensive areas previously used for outside storage; sites that are no longer viable for the purpose for which they were originally used or intended; and on sites of exhausted pits and quarries in the urban area.

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

##### Provisions for High-Rise and High-Rise 31+ Buildings

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.

Policy 14 states that where a secondary plan proposes High Rise 31+ storey buildings for a specific area the City will:

- a. Assess the impact of this type of development on the City's Skyline and incorporate policies to identify and protect prominent views and vistas where they are determined to exist. Skyline refers to the complete or partial distant view of the city's tallest buildings and structures against the background of the sky. This assessment will include:
  - i. Identification of the existing skyline and determine the impact and appropriateness of any proposed buildings 31 storeys or more.
  - ii. Identification of any significant public view corridors by identifying significant landmarks to which views shall be protected (such as Parliament Buildings, Gatineau Park, and other important national, civic and local landmarks), and significant public vantage points; and
  - iii. Consideration of any existing studies on public views and skyline; and

Policy 15 states that the following should be considered:

- a. A prominent location or locations fronting on streets, lanes, public open space and other public land preferably and good transportation access;
- b. Avoiding or mitigating negative shadow or microclimate impacts such as the creation of excessive wind and providing insufficient sunlight in adjacent public spaces;
- c. The provision of a mix of uses within the building or the surrounding area to service residents or business tenants within the building and the broader community;

- d. Conservation, retention and renovation of designated heritage buildings and significant heritage resources.
- e. Building transition and the mitigation of impacts on adjacent low-rise neighbourhoods through building design, massing as per Section 4.11.
- f. The identification of priority community amenities or public institutional uses that may be required and the mechanisms by which they will be provided.
- g. Mechanisms to encourage architectural excellence and sustainable design.
- h. Any specific requirements identified during the secondary planning process.

#### Section 2.5.1 - Designing Ottawa

This section sets out design objectives to guide how the City wants to influence the built environment as the city matures and evolves.

- 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 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. Mainstreets are the corridors that traverse long areas of the city, connecting different communities and changing in character along their length. 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. Intensification is most likely to occur over time through the redevelopment of sites such as vacant lots, aging strip malls, and former automobile sales lots, parking lots and gas stations, as well as through additions to existing buildings.

#### Section 4.11 – Urban Design and Compatibility

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. High-Rise buildings should be designed to achieve the objectives of this Plan and avoid or reduce impacts or disruptions associated with:

- a. pedestrian comfort, safety and usability resulting from changes to wind and shadow patterns in outdoor amenities and adjacent public and private spaces surrounding the building;
- b. public views, including view planes and view-sheds referred to in Policy 3 above;
- c. proximity to heritage districts or buildings;
- d. reduced privacy for existing building occupants on the same lot or on adjacent lots.

Polity 15 of Section 4.11 states that generally, High-Rise buildings, which consist of three integrated parts, a base, a middle and a top, can achieve many of the urban design objectives and address the impacts described above in the following ways;

- a. 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.
- b. The tower, which typically includes a middle and a top, should step back from the base where possible. The tower design can reduce the building impacts identified above by incorporating an appropriate separation from existing or future adjacent

towers located on the same lot or on an adjacent lot. The responsibility for providing an appropriate tower separation shall generally be shared between owners of abutting properties where high-rise buildings are permitted. A separation distance of 23 metres has been the City's general guidance but actual separation requirements may vary in different parts of the City depending on the context.

- c. Floor plates may also vary depending on the uses and the context. Generally, towers with a larger floor plate may require a greater separation from adjacent towers.

### **New Official Plan**

#### **Section 5.2 - Inner Urban Transect**

The subject site is located in the Inner Urban Transect under Schedule A – Transect Policy Area, which includes the pre-World War II neighbourhoods that immediately surround the Downtown Core, and the earliest post-World War II areas directly adjacent to them. The Inner Urban Transect is generally planned for mid- to high-density development, subject to proximity and access to frequent street transit or rapid transit.

#### **Section 5.2.3 - Provide direction to the Hubs and Mainstreet Corridors located within the Inner Urban Transect**

Policy 2 states that on sites that front on a segment of a Mainstreet whose right of way is 30 metres or greater and where the parcel is of sufficient size to allow a transition in the built form massing, a maximum of 40 storeys is permitted.

#### **Section 6.2 - Corridors**

The subject site is designated Mainstreet Corridor in the new Official Plan. 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.

Policy 2 states that development within the Corridor designation shall establish buildings that locate the maximum permitted building heights and highest densities close to the Corridor, subject to building setbacks where appropriate. Further, development:

- a) Shall ensure appropriate transitions in height, use of land, site design and development character through the site, to where the Corridor designation meets abutting designations;
- b) May be required to provide public mid-block pedestrian connections to nearby streets or abutting designations;
- c) For sites generally of greater than one hectare in area or 100 metres in depth:
  - i) Shall be required to establish an enhanced circulation network throughout the site that prioritizes the needs of pedestrians, cyclists and transit users.

### Section 6.3 – Neighbourhoods

The subject site is also designated as Neighbourhoods under the new Official Plan. Neighbourhoods are contiguous urban areas that constitute the heart of communities. It is the intent of this Plan that they, along with hubs and corridors, permit a mix of building forms and densities. Neighbourhoods are planned for ongoing gradual, integrated, sustainable and context-sensitive development, or where an Overlay directs evolution, for gradual well-planned transformation.

#### Section 5.6.1.1 – Evolving Neighbourhood Overlay

The Evolving Overlay applies to the subject site. This Overlay applies to areas that are in a location or at a stage of evolution that create the opportunity to achieve an urban form in terms of use, density, built form and site design. The Evolving Overlay will be applied generally to the properties that have a lot line along a Minor Corridor; lands 150 meters from the boundary of a Hub or Mainstreet designation; and to lands within a 400-metre radius of a rapid transit station. The Overlay is intended to provide opportunities that allow the City to reach the goals of its Growth Management Framework for intensification through the Zoning By-law.

### **Current Montreal Road District Secondary Plan**

#### Section 1.3: West Sector

The primary role of the West Sector is the entryway from downtown into the district. While employment is an important and necessary component of this Sector, a greater

mix of uses is necessary to draw urban activity across the Cummings Bridge from the west.

The following policies apply:

1. For lots with:

- frontage on a Traditional Mainstreet; and
- a minimum lot area of 1.0 ha.

building heights up to a maximum of 14 storeys may be permitted provided the criteria in Policy 3 below is met.

2. For lots with:

- frontage on a Traditional Mainstreet; and
- a minimum 100 metres of frontage on the Vanier Parkway; and
- a minimum lot area 1.0 ha

building height up to a maximum of 18 storeys may be permitted provided that the following criteria are met:

- a. The criteria in Policy 3 below.
- b. All high-rise buildings will have a limited floor plate and minimum separation distances of 20 metres between high-rise buildings to address the impacts on shadowing, the micro-climate and public views. For those high-rise buildings with a podium or base, the minimum separation distance is required between the tower portions of the high-rise buildings. All high-rise buildings are oriented towards either the Traditional Mainstreet or the Vanier Parkway.
- c. The design of the site will include setbacks from adjacent low-rise uses.

3. The design of the site will:

- Include a maximum six storey building height along the Traditional Mainstreet. For high-rise buildings, a maximum six storey podium height will be permitted along the Traditional Mainstreet.
- Provide for adequate setbacks and built form transition to adjacent low-rise residential and institutional uses including:
  - maintaining the provisions for incremental changes in building height for the first six storeys from the rear lot line as contained in the TM Zone.
  - maintaining the minimum interior side yard setback provisions as contained in the TM Zone.
  - providing incremental changes in building height which begins at the maximum building height permitted in the abutting zone, or other similar building design techniques.
- c. Address shadowing impacts and overlook onto residential and institutional areas by orienting high-rise buildings away from low-rise uses.

#### Section 1.3.5 - Vanier Parkway

The Vanier Parkway is a Scenic Entry Route in the City's Official Plan. Schedule 1 of this Plan illustrates a proposed connection to the Vanier Parkway in alignment with Jeanne Mance Street on the east side of the Vanier Parkway. This proposed connection can be a private access to the property at 112 Montreal Road or a public road. The location of the access is flexible however the intent of the connection is to provide a mid-block connection from the Vanier Parkway to the Interior of the West Sector. The Vanier Parkway Agreement of 1974 and associated restrictive covenant between the National Capital Commission and the City governs all new accesses to the Vanier Parkway.

The Vanier Parkway has an existing vegetative buffer and the priorities are the preservation and enhancement of this buffer and providing pedestrian connections to the Vanier Parkway.

The following policies apply to those lots which have frontage on the Vanier Parkway:

## Policies

1. New non-residential use buildings, mixed-use buildings or mid- to high-rise residential use buildings will provide direct pedestrian access to Vanier Parkway.
2. Development or redevelopment will include enhanced streetscaping and the preservation of the existing vegetative buffer. Any reduction of the vegetative buffer along the Vanier Parkway for specific site design requirements or to increase pedestrian access to the Parkway will be at the City's discretion.
3. Development or redevelopment will include public art that reflects the historic route of the Vanier Parkway or the history of the former City of Vanier.
4. Development or redevelopment of the site at 112 Montreal Road will include a publicly accessible pedestrian walkway from the Vanier Parkway to Palace Street.

## **New Montreal Road District Secondary Plan**

### Section 4: Sectors

#### 4.1 West Sector

The primary role of the West Sector is to be the entryway from the downtown core into the district. While employment is an important and necessary component of this sector, a greater mix of uses is necessary to draw urban activity across the Cummings Bridge from the west.

The following policies apply to lands designated as West Sector:

- 1) For lots with:
  - a) Frontage on a Mainstreet; and
  - b) A minimum lot area of 1.0 hectares; and
  - c) Building height up to a maximum of 14 storeys may be permitted, provided the criteria in Section 4.1, Policy 2) is met.

- 2) For lots with:
  - a) Frontage on a Mainstreet; and
  - b) A minimum 100 metres of frontage on the Vanier Parkway; and
  - c) A minimum lot area 1.0 hectares; and
  - d) Building height up to a maximum of 18 storeys may be permitted provided that the criteria of Section 4.1, Policies 3) and 4) are met.
  
- 3) All high-rise buildings shall have a limited floor plate and minimum separation distances of 20 metres between high-rise buildings, to address the impacts on shadowing, micro-climate and public views. For those high-rise buildings with a podium or base, the minimum separation distance is required between the tower portions of the high-rise buildings. All high-rise buildings shall be oriented towards either the Mainstreet or Vanier Parkway.
  
- 4) Site design will include the following:
  - a) Buildings with a maximum six-storey building height constructed along the Mainstreet. For high-rise buildings, a maximum six-storey podium height will be permitted along the Mainstreet; and
  - b) Adequate setbacks and built form shall provide transition to adjacent low-rise residential and institutional uses including:
    - i. Maintaining the provisions for incremental changes in building height for the first six storeys from the rear lot line as identified in the TM Zone; and
    - ii. Maintaining the minimum interior side yard setback provisions as contained in the TM Zone; and
    - iii. Providing incremental changes in building height which begins at the maximum building height permitted in the abutting zone, or other similar building design techniques; and

- iv. Addressing shadowing impacts and overlook onto residential and institutional areas by orienting high-rise buildings away from low-rise uses.

#### Vanier Parkway - West Sector

The Vanier Parkway is designated as a Scenic Route in the Official Plan. The Vanier Parkway Agreement of 1974 is a restrictive covenant between the National Capital Commission and the City. It regulates all new accesses to the Vanier Parkway. The parkway has an existing vegetative buffer and preservation and enhancement of this buffer while also ensuring pedestrian connections to the Vanier Parkway is a top priority.

The following policies apply to those lots which have frontage on the Vanier Parkway:

- 23) Development on properties which include non-residential use buildings, mixed-use buildings or mid- to high-rise residential use buildings will also provide for direct pedestrian access to Vanier Parkway.
- 24) Development will include enhanced streetscaping and the preservation of the existing vegetative buffer. Any alterations to the vegetative buffer along the Vanier Parkway for specific site design requirements or to increase pedestrian access to the Parkway will be at the City's discretion.
- 25) Development will include public art that reflects the historic route of the Vanier Parkway or the history of the former City of Vanier.
- 26) Development of the site 112 Montréal Road will include a publicly accessible pedestrian connection from the Vanier Parkway to Palace Street, as shown on Schedule A – Designation Plan. The proposed connection which aligns with Jeanne Mance Street on the east side of Vanier Parkway can be a pathway or a public road.

The location of this access is flexible however the intent is to provide a mid-block connection from the Vanier Parkway to the Interior of the West Sector.

#### **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.

#### Guideline 1

Recommends aligning street wall buildings with the existing built form or with the average setback of the adjacent buildings in order to create a visually continuous streetscape.

#### Guideline 4

Recommends the use of periodic breaks in the street wall or minor variations in building setback and alignment to add interest to the streetscape, and to provide space for activities adjacent to the sidewalk.

#### Guideline 6

Recommends creating attractive public and semi-public outdoor amenity spaces such as green spaces with trees, pocket parks, courtyards, outdoor cafés, seating and decorative pools or fountains.

#### Guideline 8

Recommends design quality buildings that are rich in architectural detail and respect the rhythm and pattern of the existing or planned, buildings on the street, through the alignment of elements such as windows, front doors, cornice lines, and fascias, etc.

Guideline 9

Recommends ensuring sufficient light and privacy for residential and institutional properties to the rear by ensuring that new development is compatible and sensitive with adjacent uses with regard to maximizing light and minimizing overlook.

Guideline 11

Recommends the use of clear windows and doors, to make the pedestrian level façade of walls facing the street highly transparent, and to locate active pedestrian-oriented uses at-grade.

Guideline 12

Recommends setting back the upper floors of taller buildings to help achieve a human scale and more light on the sidewalks.

Guideline 19

Recommends locating front doors to face the mainstreet and to be directly accessible from the public sidewalk.

Urban Design Guidelines for High-Rise Buildings

Guideline 2.1

Recommends enhancing and creating the overall pedestrian experience in the immediate surrounding public spaces.

Guideline 2.2

Recommends enhancing and creating the image of a community and a city.

Guidelines 2.13, 2.14, 2.20, 2.21 and 2.23

Recommend designing the lower portion of the buildings to support human-scaled streetscapes, open spaces and quality pedestrian environments.

Guideline 2.25

Recommends creating sufficient separation between towers.

Guideline 3.12

Recommends locating active uses along the street façade.

Guideline 3.1c

Recommends introducing landscaping and/or residential patios between the sidewalk and the building face on a street with residential character.

Guideline 3.5

Recommends providing public spaces that provide direct visual and physical connections to the surrounding public streets, pathways, parks, and open spaces; support the proposed high-rise development particularly at grade functions; allow for year-round public use and access; and maximize safety, comfort and amenities for pedestrians.

**Urban Design Review Panel**

The property is within a Design Priority Area (DPA). The Formal Review took place on September 10, 2021. The Panel's recommendations can be found in Document 8.

At the time of the review by the Panel, the proposal was for three towers of 30 (northeast), 30 (southeast), and 20 (west) storeys with floorplates of 853 square metres. Among other things, the Panel recommended a better height transition smaller tower floorplates.

**Planning rationale**

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. Although the site is not located within 400 metres walking distance from a Rapid Transit Station, it is fronting onto Transit Priority Corridor. It is also located within 400 metres walking distance from retail, restaurants, services, parks, and employment and as such, provides an excellent opportunity for intensification.

Policy 15. States that high-rise 31+ buildings will only be permitted by an amendment to an existing secondary plan that already allows High-Rise buildings; and where the High-Rise 31+ buildings will be located generally within 400 metres walking distance of a Rapid Transit Station and separated from planned low-rise residential areas by a suitable transition. The subject site is located in the West Sector of the Montreal Road District Secondary Plan, which presently allows 18 storeys. Although not located within 400 metres from Rapid Transit, as previously mentioned, the site is fronting onto a Transit Priority corridor while being located within a 400 metres walkable distance from retail, restaurants, services, parks, and employment uses. The closest planned low-rise residential area will be located about 50 metres from the closest tower.

Policy 16 states that the location of High-Rise and High-Rise 31+ buildings is influenced by the need to provide an adequate separation distance from other existing and potential future High-Rise buildings. As shown in Document 6, the proposed towers will be 22.5 metres at its closest and this in an offset position. The closest setback to a side property line will be 12.5 metres, which represents more than half of the 23-metre tower separation, which is to be generally shared between owners of abutting properties.

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. As previously mentioned, the closest tower will be 50 metres away from the closest residential zone, the subject site will front onto a Transit Priority Corridor, and community benefits under Section 37 of the *Planning Act* will be provided as part of this development.

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 subject site used to

contain commercial, and hotel uses but is presently vacant and cleared of previous constructions.

#### Section 2.5.1 – Designing Ottawa

The proposed development will enhance the sense of community by providing public amenities (bike lane, bike repair station, courtyard, children's play area, child-care facility, and public art). It also considers adaptability and diversity by contributing to the variety of housing types and providing family-size apartment units. The proposed development will also maximize energy-efficiency and promote sustainable design to reduce the resource consumption, energy use, and carbon footprint of the built environment by providing public electric vehicle charging stations, a tri-sorter refuse/recycling system, energy conserving insulation, and double glazed low-e argon windows.

#### Section 3.6.3 – Mainstreets

The proposed development meets the objective of the Mainstreet designation as it will redevelop vacant lots with a dense development that will be supported by increased walking, cycling and transit use.

#### Section 4.11 – Urban Design and Compatibility

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 enhance the skyline.

Policy 15 of Section 4.11 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. As shown in Document 6 and 7, all towers of the proposed development will feature a podium and will be at the closest 22.5 metres apart (Tower B1 and B2, which

are to be offset). As previously mentioned, the closest setback to a side property line will be 12.5 metres (Tower B3), which represents more than half of the 23-metre tower separation to be generally shared between owners of abutting properties.

#### New Official Plan

#### Section 5.2.3 - Provide direction to the Hubs and Mainstreet Corridors located within the Inner Urban Transect

Policy 2 states that on sites that front a Mainstreet whose right of way is 30 metres or greater and where the parcel is of sufficient size to allow a transition in the built form massing, a maximum of 40 storeys is permitted.

Most of the subject site is located along a segment of the Vanier Parkway which has a right of way with an average width of about 45 metres.

#### Section 5.6.1.1 – Evolving Neighbourhood Overlay

This Overlay applies to areas that are in a location or at stage of evolution that create the opportunity to achieve an urban form in terms of use, density, built form and site design.

The proposed development will contribute to densifying the neighbourhood, improving its connectivity, and providing additional community amenities.

#### Section 6.2 – Corridors

Policy 2 states that the maximum permitted building heights and highest densities shall be established close to the corridor, that appropriate transition in height needs to be ensured, and that connectivity be provided throughout the site.

The highest towers B1 (37 storeys) and B2 (28 storeys) will be located along the Vanier Parkway. Tower B1 will be located to the north-west, closest to the intersection on Montreal Road with the Vanier Parkway. Two accesses from the Vanier Parkway will be provided (one pedestrian and one for both pedestrian and vehicle). A pedestrian path will also be provided along the entire westerly property limit to link Montreal Road with Palace Street. All of the above is shown in Document 6.

#### Current and New Montreal District Secondary Plan

The West Sector policies of both plans require a minimum separation distance of 20 metres between high-rise buildings, transition to adjacent low-rise residential, orienting high-rise buildings away from low-rise uses, direct pedestrian access to the Vanier Parkway, preservation of the existing vegetative buffer along the Parkway, and the provision of public art.

As previously mentioned, the closest setback to a side property line will be 12.5 metres, which represents more than half of the 23-metre tower separation to be generally shared between owners of abutting properties. All towers of the proposed development will feature a podium and will be at the closest 22.5 metres apart (Tower B1 and B2, which are to be offset). The closest planned low-rise residential area will be located about 50 metres from the closest tower. As previously mentioned, two accesses from the Vanier Parkway will be provided (one pedestrian and one for both pedestrian and vehicle). All distances mentioned above are shown in Document 6. Although Building A along Montreal Road will exceed the maximum of six storeys stated in the secondary plans, it should be mentioned that the existing zoning already permits eight storeys as proposed. The proposed building will be designed to feature a four-storey podium to maintain the mainstreet scale. Finally, Public art will be provided as part of Section 37 community benefits.

#### Urban Design Guidelines for Development along Traditional Mainstreets

The proposed development responds to the Urban Design Guidelines for Development along Traditional Mainstreets by providing a building that includes a four-storey podium, significant glazing at the street level, active entrances, and open green space.

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

The proposed development will establish a new pattern. It will provide a variety in the form of the buildings, together with the public realm elements. The podiums and mid-rise building along Montreal Road will support human-scale spaces and pedestrian-friendly environments. The generous separation between the towers will allow for adequate light, direct sun, views and privacy for residents and people enjoying the public realm.

#### Increased building height

While the proposed 37, 28 and 16 storey heights are higher than envisioned at the time of adoption of the Montreal Road District Secondary Plan, new policies have been introduced by Council to evaluate the appropriateness of high rise buildings to meet intensification and compatibility goals and the proposal satisfies these Council approved policies and guidelines to allow greater heights.

The proposed height increase will help frame the West Sector by providing high-rise buildings on the subject lands in conjunction with the high-rise buildings approved by Council (32, 28, and 22 storeys) to the west at 3 Selkirk Avenue, located at the intersection of Montreal Road and North Service Road. The additional storeys from 32 to 37 are justified by being located at a wider intersection (Montreal Road and Vanier Parkway). It also decreases the overall building footprint by going from six buildings under the previous zoning to three where the GFA is redistributed in a vertical way to allow more ground amenity and greenspace. With this proposal, more height difference/transition will be provided between the buildings.

Staff would like to point out that in comparison to the existing zoning, there will now only be one tower to the west of the subject site, which is adjacent to existing low-rise residential uses on Palace Street. Furthermore, the proposed west tower will be located further south than the southwest tower under the as-of-right zoning, to avoid as much as possible, alignment with the residential back yards. In terms of sun obstruction, although higher towers will affect more properties in the far distance, there will be less direct impact for the closest ones. Although longer in distance, shadows will be narrower and move faster across other properties due to the small tower floorplates.

### **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 13,695 square metres, and an increase in height from 57 metres (18 storeys) to 116 metres

(37 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 \$787,498.15 towards any of the following:
  - Traffic calming measures
  - Local parks improvements
  - Community improvements such as landscaping and lighting
  - Notwithstanding the foregoing, the City may apply the money to an affordable housing agreement to provide affordable housing on the property.

All the above money contributions are applicable to Ward 12.

- 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:
  - Bike lane along Vanier Parkway
  - Publicly accessible bike repair station to be operated and maintained by the property owner
  - Publicly accessible landscaped courtyard (POPS)
  - Publicly accessible children's play area

- Child-care facility for the use of future occupants and the surrounding community
- Public art
- 20 per cent of total units are three-bedroom or two-bedroom+den
- Five public electric vehicle charging stations at grade
- Tri-sorter refuse/recycling system
- Energy conserving insulation + double glazed low-e argon windows

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**

As mentioned above, a public information session was held on June 16, 2021. The session was organized by Councillor Fleury's Office where his staff, Development Review staff and the local community participated.

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

### **COMMENTS BY THE WARD COUNCILLOR**

Councillor Fleury provided the following:

“As we get closer and closer to completing the multi-million-dollar investment along Montreal Road, I am excited to see that this is not the end for new additions to our neighbourhood.

Located at the corner of the Vanier Parkway and the Montreal Road, the development proposed at 112 Montreal Road will reshape a corner long overdue for development, although we had hoped to see the inclusion of the current gas station within the development.

Working through the development process with Manor Park Management has been a very fluid and welcoming change in discussing how we came to today's proposal before us.

I am encouraged by the openness of this developer to include mix-use, green space, a mix of unit types including 3 bedrooms, and the inclusion of commercial and residential units that are an addition of much-needed rental units.

As we move through the site plan process, the vision for this site presented must achieve the presented improvements and meet the needs of both current and new residents.

This development is in a unique place along our Main Street, and there is an opportunity to review the traffic plan to allow all traffic to remain off the residential streets within this compact community located between Montreal Road and McArthur Avenue on the west side of Vanier Parkway.

Options of creating an opening from the Vanier Parkway may achieve this. I am looking forward to continuing this conversation with staff and the applicant through the site plan process, as a comprehensive plan must be implemented to keep access and exits along the Vanier Parkway.

Traffic in this area is a concern, as multiple large developments such as Main and Main's proposal for the Eastview Plaza and the Longwood development at the corner of

McArthur Avenue and the Vanier Parkway are underway. It is integral to make sure this conversation continues and that the best solution is found for Vanier residents.

Additionally, I look forward to working with the applicant to define the materials, lighting, and open green spaces to allow this new development to stand out on its merit and have a permanent and appropriate lasting impression in our community.

I am pleased that this will include a bike lane along the Vanier Parkway, a publicly accessible bike repair station, a publicly accessible children's play area, a childcare facility for the use of future occupants and the surrounding community and electric vehicle charging stations.

With four towers of residential development, with a proposal of 872 units for rent, I am looking forward to the units reflecting the community's needs – with a diverse unit count of one, two and three-bedroom units, to offer rental for families in our community. I am also encouraged and looking forward to seeing the conversation on how we can add affordable units to this development, develop and grow as we continue discussions with applicant, city and Vanier community association.

As we continually strive to improve Montreal Road with each development, I am happy that cycling tracks and pedestrian networks are top of mind.”

## **LEGAL IMPLICATIONS**

In the event the recommendations are adopted and the resulting official plan and zoning by-law amendments are appealed to the Ontario Land Tribunal, it is expected that a three to five day hearing would be required. It is anticipated that the hearing could be conducted within staff resources. Should the application be refused, reasons must be provided. In the event that the new Official Plan comes into force subsequent to the refusal, the applicant would not, without the consent of Council, be able to request an amendment to the new Official Plan for a period of two years.

## **RISK MANAGEMENT IMPLICATIONS**

No risks have been identified for now.

## **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 \$787,498.15 towards any of the following, within Ward 12:
  - Traffic calming measures
  - Local parks improvements
  - Community improvements such as landscaping and lighting
  - Notwithstanding the foregoing, the City may apply the money to an affordable housing agreement to provide affordable housing on the property.
- 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:
  - Bike lane along Vanier Parkway
  - Publicly accessible bike repair station to be operated and maintained by the property owner
  - Publicly accessible landscaped courtyard (POPS)
  - Publicly accessible children's play area
  - Child-care facility for the use of future occupants and the surrounding community
  - Public art
  - 20 per cent of total units are three-bedroom or two-bedroom+den
  - Five public electric vehicle charging stations at grade
  - Tri-sorter refuse/recycling system

- Energy conserving insulation + double glazed low-e argon windows

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 contribution will be contained within the Section 37 agreement. The cash contribution will 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.

### **ACCESSIBILITY IMPACTS**

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

### **ENVIRONMENTAL IMPLICATIONS**

A Phase I Environmental Site Assessment (ESA) in accordance with Ontario Regulation 153/04 was prepared to support the proposed Official Plan and Zoning By-law Amendments. A Phase II ESA will be required through the Site Plan Control 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 (D01-01-21-0006 and D02-02-20-0019) was processed by the "On Time Decision Date" established for the processing of Official Plan amendment and Zoning By-law amendment applications.

## **SUPPORTING DOCUMENTATION**

Document 1 Location Map

Document 2 Official Plan Amendment

Document 3 Details of Recommended Zoning

Document 4 Revised Schedule 365

Document 5 Consultation Details

Document 6 Site Plan

Document 7 Rendering

Document 8 Urban Design Review Panel Recommendations

## **CONCLUSION**

Staff are of the opinion that the proposed development provides a design approach that achieves a desired built form for the redevelopment of a vacant and former underutilized commercial site. The proposed development will also contribute to ensuring a full range and choice of housing types in proximity to employment, retail, service, and transit. The proposal complies with the existing and new Official Plans and staff recommend approval.

## **DISPOSITION**

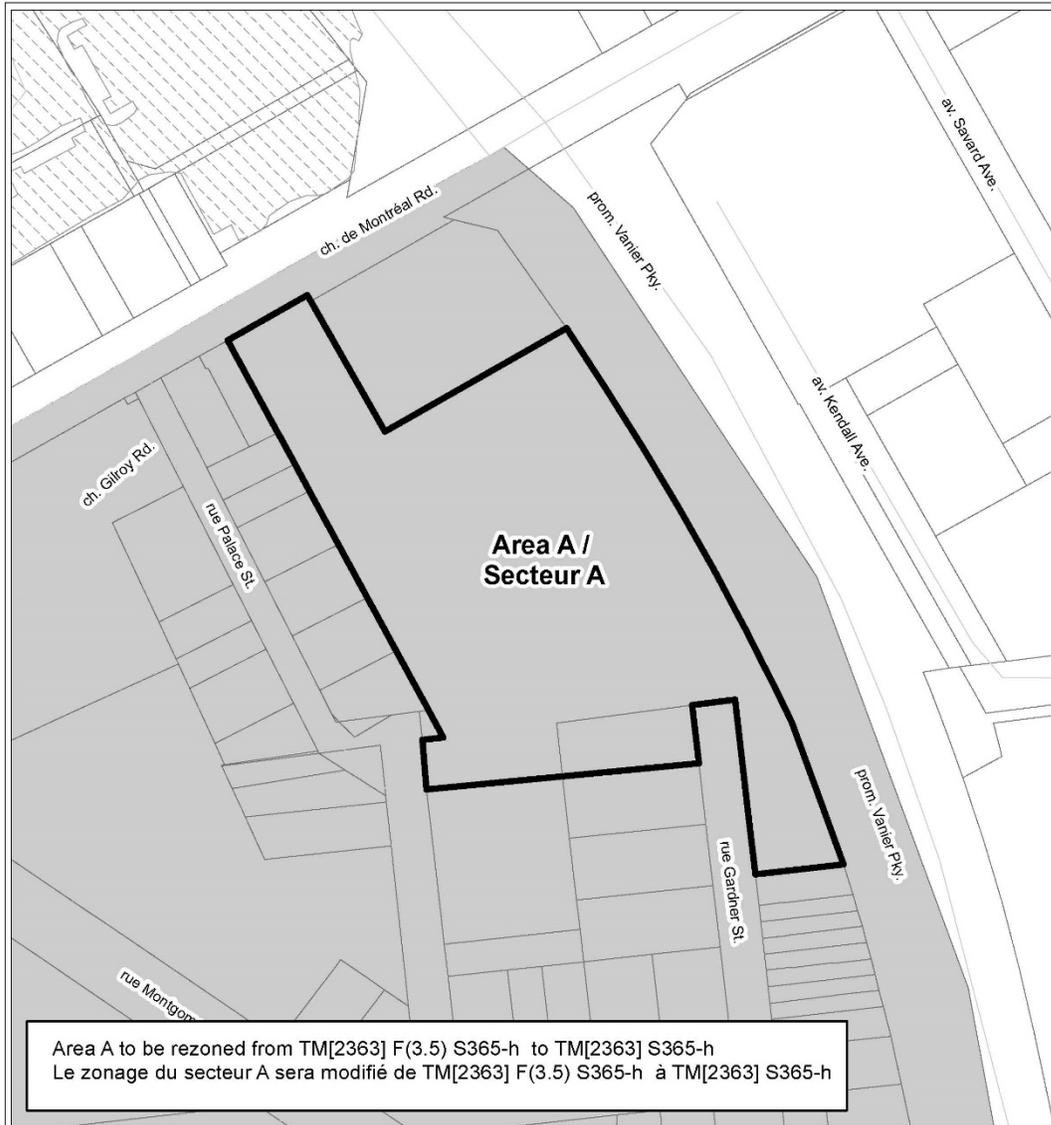
Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing and Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.

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



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
D02-02-20-0019	22-0106-X	 <b>112 chemin Montreal Road and / et 314 rue Gardner Street</b>	
I:\CO\2022\Zoning\Montreal_112_Gardner_314		 Flood Plain - Area Specific Provisions (Section 58) / Plaine inondable - Dispositions propres à des emplacements (Article 58)	
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REVISION / RÉVISION - 2022 / 02 / 03			

**Document 2 – 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 Official Plan and the Montreal Road District Secondary Plan to permit a tower height ranging from eight up to 37 storeys whereas 18 storeys are permitted; and permit a building height of 8 storeys on a Traditional Mainstreet frontage whereas 6 storeys is permitted.

### Location

112 Montreal Road and 314 Gardner Street

### Basis

The proposed development will feature three residential high rise buildings of 37, 28, and 16 stories, and one eight-storey mixed-use building fronting onto Montreal Road for a total of 872 units.

### Rationale

The proposed 37, 28 and 16 storey heights although higher than envisioned at the time of adoption of the Montreal Road District Secondary Plan, satisfies the Council approved policies and guidelines to allow greater heights. Although Building A along Montreal Road will exceed the maximum of six storeys stated in the secondary plans, the existing zoning already permits eight storeys as proposed.

Although not located within 400 metres from Rapid Transit, the site will be fronting a Transit Priority corridor. It will be located within 400 metres walking distance from retail, restaurants, services, parks, and employment uses, and as such, provides an excellent opportunity for intensification.

The proposed height increase will frame the West Sector by providing 37 storeys to its west, whereas 32 storeys was recently approved at its east (3 Selkirk located at the intersection of Montreal Road and North Service Road). The additional storeys from 32 to 37 are justified by being located at a wider intersection (Montreal Road and Vanier Parkway). It also releases building footprint by going from six buildings under the previous zoning to three where the GFA is redistributed in a vertical way to allow more ground amenity and greenspace. With this proposal, more height difference/transition

will be provided between the buildings. Most of the subject site is located along a segment of the Vanier Parkway which right of way as an average width of about 45 metres.

All towers of the proposed development will feature a podium and will be at the closest 22.5 metres apart (Tower B1 and B2, which are to be offset). The closest setback to a side property line will be 12.5 metres (Tower B3), which represents more than half of the 23-metre tower separation to be generally shared between owners of abutting properties. The closest planned low-rise residential area will be located about 50 metres from the closest tower.

The proposed development will contribute to densify the neighbourhood, improve its connectivity, and provide additional community amenities. Community benefits under Section 37 of the *Planning Act* will be provided as part of this development.

## 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 Official Plan for the City of Ottawa.

### 2. Details

The following changes are hereby made to the current and new Official Plan, Volume 2a / 2A, Secondary Plans / Urban Secondary Plans, Montreal Road District Secondary Plan. The Montreal Road District Secondary Plan is hereby amended as follows for the City of Ottawa:

Add a Site-Specific Exception to Section 1.3 / 4.1: West Sector of the current and new Montreal Road District Secondary Plan as follows:

Notwithstanding policy 2 of Section 1.3 / 4.1: West Sector, on the lands municipally known as 112 Montreal Road and 314 Gardner Street, building heights ranging from eight up to 37 storeys may be permitted provided that the following criteria are met:

- a. The criteria in Policy 3 below.
- b. All high-rise buildings will have a **maximum tower floorplate of 800 square metres and minimum separation distances of 22 metres** to address the impacts on shadowing, the micro-climate and public views. For those high-rise buildings with a podium or base, the minimum separation distance is required between the tower portions of the high-rise buildings. All high-rise buildings are oriented towards either the Traditional Mainstreet or the Vanier Parkway.
- c. The design of the site will include setbacks from adjacent low-rise uses.

### 3. The design of the site will:

- a. **Include a maximum eight storey building height along the Traditional Mainstreet. Where the height of a building along a Traditional Mainstreet is greater than four storeys, a building must be setback a**

**minimum of 2 metres more than the provided setback from the front lot line.** For high-rise buildings, a maximum six storey podium height will be permitted.

- b. Provide for adequate setbacks and built form transition to adjacent low-rise residential and institutional uses including:
  - i. **minimum separation distance of 22 metres between the tower portion of high-rise buildings and R1, R2, R3, and R4 Zones.**
  - ii. maintaining the minimum interior side yard setback provisions as contained in the TM Zone.
  - iii. **providing podium of a maximum height of four storey for a high-rise building abutting low-rise residential uses.**
- c. Address shadowing impacts and overlook onto residential and institutional areas by **ensuring a window of sun exposure for most of the day for abutting low-rise residential uses and minimising the number of towers abutting low-rise residential uses.**

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 112 Montreal Road and 314 Gardner Street:

1. To rezone the lands shown in Document 1 from TM[2363] F(3.5) S365-h to TM[2363] S365-h.
2. Replace Schedule 365 with the Schedule shown in Document 4.
3. Amend Exception [2363], to Section 239 – Urban Exceptions with provisions similar in effect to the following:
  1. Replace the text in Column II with TM[2363] S365-h
  2. In Column III, Additional land uses permitted, replace the text “townhouse dwellings” with “Apartment dwelling, high rise”
  3. Replace the text in Column V, Provisions, with:
    - Maximum building heights and minimum required setbacks as per Schedule 365;
    - Table 197 does not apply;
    - The landscaping requirement when abutting R4 zones is 1.2 metres;
    - For the purposes of Parts 4 and 5 of this By-law, all lands zoned TM [2363] S365-h are considered one lot for zoning purposes;
    - Permitted projections under Section 65 are not subject to the maximum height limits of Schedule 365;
    - The holding symbol may only be removed after the road closing is approved for the northern segment of Gardner Street.
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 112 Montreal Road and 314 Gardner Street and will set out the facilities, services and matters that must be provided as per Section 37 of the *Planning Act*:

112 Montreal Road and 314 Gardner Street

The City shall require that the owner of the lands at 112 Montreal Road and 314 Gardner 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:

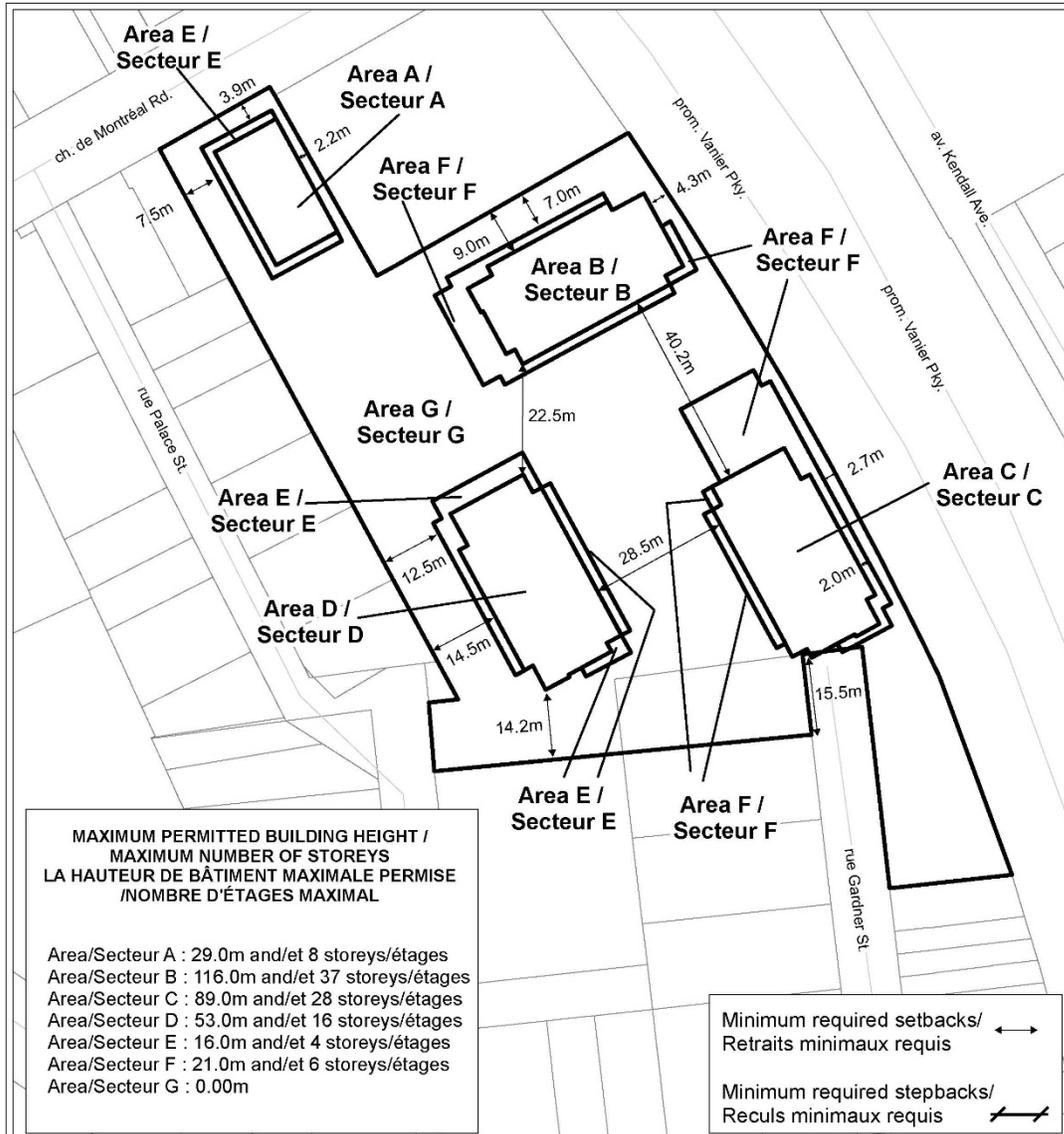
- At the discretion of the Ward Councillor, a cash contribution of \$787,498.15 towards any or all of the following:
  - Traffic calming measures
  - Local parks improvements
  - Community improvements such as landscaping and lighting.
  - Notwithstanding the foregoing, the City may apply the money to an affordable housing agreement to provide affordable housing on the property.

All the above money contributions are applicable to Ward 12.

- 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:
  - Bike lane along Vanier Parkway
  - Publicly accessible bike repair station to be operated and maintained by the property owner
  - Publicly accessible landscaped courtyard (POPS)
  - Publicly accessible children's play area
  - Child-care facility for the use of future occupants and the surrounding community
  - Public art
  - 20 per cent of total units are three-bedroom or two-bedroom+den
  - Five public electric vehicle charging stations at grade
  - Tri-sorter refuse/recycling system
  - Energy conserving insulation + double glazed low-e argon windows

- 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 – Revised Schedule 365



**Ottawa**

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**This is Schedule YYY to Zoning By-law No. 2008-250  
 Annexe YYY 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

  
NET 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. The applicant presented his proposal at a public information session held on June 16, 2021. About 30 members of the community attended. The session was organized by Councillor Fleury's Office where his staff, Development Review staff and the local community participated.

### Public Comments and Responses

#### Comment:

Thirty storeys is too much for the neighborhood. It causes too much sun obstruction for properties to the east, west, and north. The buildings should not be higher than a 15 storeys.

#### Response

Staff indicated that in comparison to the existing zoning, there will now only be one tower to the west of the subject site, which is adjacent to existing low-rise residential uses on Palace Street. Furthermore, the proposed west tower will be located further south than the southwest tower under the as-of-right zoning, this to avoid as much as possible alignment with the residential back yards.

In terms of sun obstruction, staff indicated that although higher towers will affect more properties in the far distance, there will be less direct impact for the closest ones. Although longer in distance, shadows will be narrower and faster due to the small tower floorplates.

#### Comment:

There should be no access from Palace Street.

#### Response:

This would cause a problem for future residents and visitors of the development in that the northbound movement on Vanier Parkway would have to execute a U-turn at the

Montreal Road intersection to be able to use the southbound lane where the only access would be. This, or use Montgomery Street to reach Montreal Road and circle back to the southbound lane of the Vanier Parkway, which would constitute a significant detour.

Comment:

There were several concerns with increased traffic on the adjacent local streets.

Response:

The right-in right-out on Vanier Parkway and the left-in left-out with no right-in allowed on Palace Street is the scenario that would limit the most detours through the local streets and unsafe movements at the intersection of Montreal Road and Vanier Parkway.

Comment:

A crossing through the Vanier Parkway median aligned with Jeanne Mance Street and the proposed access should be considered.

Response:

This comment is well noted by staff and the Ward Councillor office and will be further explored at site plan approval stage.

Document 6 – Site Plan



Document 7 – Rendering



## **Document 8 – Urban Design Review Panel Recommendations**

### **Summary**

- The Panel expressed support for the project. The consensus is that the project has taken a significant step forward. The Panel's recommendations focused on the podium, amenity area and vehicular movement as the project progresses.
- The Panel supported the height reduction of tower B3 as it provides a transition to the neighbourhood but, there were concerns with the height of tower B2.

### **Height Transition and Massing**

- The Panel believes there should be a better height transition for tower B2 as it appears to be too high for the corner and in proximity to the adjacent neighbourhood.
- The Panel agrees that a tower height ratio of 30, 25 and 15 storeys provides better transition and that tower B3 should be 15 storeys high. The Panel believes a four-storey building on Montreal Road is better suited than a six-storey building.
- The Panel strongly recommends the tower floorplates should be reduced to comply with the tall design guidelines. Floorplates of approximately 750 square metres will also improve the tower separation distance from 21 metres to 25 metres.

### **Building Articulation**

- The Panel believes the towers relationship to the courtyard could be improved, and the towers could have a cleaner expression if the podium treatments wrap around them.
- The proponent should consider slimming the towers down to improve the corner views from the amenity space.
- The proponent should consider shifting the ramp 1.5 metres to provide more soil volume for tree planting.

### **Public Realm and Circulation**

- The Panel noted the site plan demonstrates an opportunity to increase the landscape in the courtyard if the fire tuck access is re-oriented to make the courtyard a more significant open space.
- Consider moving the access for towers B2 and B3 to the east, for building A to Montreal Road and for building B1 to Vanier Parkway.
- The courtyard would then provide enough space to serve as a children's playground to alleviate concerns with its current proposed location in close proximity to the parkway.
- The proponent should consider strengthening the pedestrian circulation by introducing trees on both sides of the south lane to treat it more like a street.
- Consider re-orienting the tower B1 entrance to avoid a turnaround to create a succession of spaces.
- The circulation plan should clearly define the woonerf and pedestrian paths.

### **Sustainability**

- The Panel recommends the proponent reduce the amount of asphalt and impervious surfaces to reduce the heat island effect.