

3. Official Plan Amendment and Zoning By-law Amendment – 50 The Driveway
Modification du Plan officiel et modification du Règlement de zonage – 50, The Driveway

Committee recommendations

That Council approve:

1. an amendment to the Official Plan, Volume 2a, Centretown Secondary Plan, for 50 The Driveway, with site-specific policies, a change in land use designation for increased building height, as detailed in Document 2a;
2. an amendment to the New Official Plan, Volume 1, as detailed in Document 2b, for 50 The Driveway, to add a site-specific policy allowing a nine-storey building within The Rideau Canal Special District; and,
3. an amendment to the Zoning By-law 2008-250 for 50 The Driveway to permit a nine-storey apartment building, as detailed in Document 3.

Recommandations du Comité

Que le Conseil approuve :

1. une modification du Plan officiel, Volume 2a, Plan secondaire du centre-ville, visant le 50, The Driveway, en y ajoutant des politiques propres à l'emplacement et en y apportant un changement de désignation d'utilisation du sol permettant une augmentation de la hauteur de bâtiment, comme l'expose en détail le document 2a;
2. une modification du nouveau Plan officiel, Volume 1, comme l'expose en détail le document 2b, visant le 50, The Driveway, en y ajoutant une politique propre à l'emplacement permettant la construction d'un immeuble de neuf étages dans le secteur spécial du canal Rideau; et,
3. une modification du Règlement de zonage 2008-250 visant le 50, The Driveway, afin de permettre la construction d'un immeuble de neuf étages, comme l'expose en détail le document 3.

Documentation/Documentation

1. Report from the Acting Director, Planning Services, Planning, Real Estate and Economic Development Department, dated February 24, 2022 (ACS2022-PIE-PS-0019)

Rapport de la Directrice par intérim, Services de la planification, Direction générale de la planification, des biens immobiliers et du développement économique, daté le 24 février 2022 (ACS2022-PIE-PS-0019)

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 – 50 The
Driveway**

File Number: ACS2022-PIE-PS-0019

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

**Submitted on February 24, 2022 by Douglas James, Acting Director, Planning,
Real Estate and Economic Development**

**Contact Person: Andrew McCreight, Planner III, Development Review Central
613-580-2424, 22568, Andrew.McCreight@ottawa.ca**

Ward: Somerset (14)

**Objet : Modification du Plan officiel et modification du Règlement de zonage
– 50, The Driveway**

Dossier : ACS2022-PIE-PS-0019

Rapport au Comité de l'urbanisme

le 10 mars 2022

et au Conseil le 30 mars 2022

**Soumis le 24 février 2022 par Douglas James, Directeur par intérim, Direction
générale de la planification, des biens immobiliers et du développement
économique**

**Personne ressource : Andrew McCreight, Urbaniste III, Examen des demandes
d'aménagement centrale**

613-580-2424, 22568, Andrew.McCreight@ottawa.ca

Quartier : Somerset (14)

REPORT RECOMMENDATIONS

That Planning Committee recommend Council:

1. Approve an amendment to the Official Plan, Volume 2a, Centretown Secondary Plan, for 50 The Driveway, with site-specific policies, a change in land use designation for increased building height, as detailed in Document 2a; and,
2. Approve an amendment to the New Official Plan, Volume 1, as detailed in Document 2b, for 50 The Driveway, to add a site-specific policy allowing a nine-storey building within The Rideau Canal Special District.
3. Approve an amendment to the Zoning By-law 2008-250 for 50 The Driveway to permit a nine-storey apartment building, as detailed in Document 3.
4. 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

Que le Comité de l'urbanisme recommande ce qui suit au Conseil :

1. Approuver une modification du Plan officiel, Volume 2a, Plan secondaire du centre-ville, visant le 50, The Driveway, en y ajoutant des politiques propres à l'emplacement et en y apportant un changement de désignation d'utilisation du sol permettant une augmentation de la hauteur de bâtiment, comme l'expose en détail le document 2a;
2. Approuver une modification du nouveau Plan officiel, Volume 1, comme l'expose en détail le document 2b, visant le 50, The Driveway, en y ajoutant une politique propre à l'emplacement permettant la construction d'un immeuble de neuf étages dans le secteur spécial du canal Rideau;

3. **Approuver une modification du Règlement de zonage 2008-250 visant le 50, The Driveway, afin de permettre la construction d'un immeuble de neuf étages, comme l'expose en détail le document 3.**
4. **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 amendments to the Centretown Secondary Plan, The Rideau Canal Special District policies, and Zoning By-law 2008-250 for 50 The Driveway. The amendments will facilitate the permission of a new nine-storey apartment building with approximately 88 dwelling units, and a design that provides heritage conservation for portions of the existing building.

The Official Plan Amendment adds site-specific policies to permit a mid-rise apartment within the Residential Character Area of the Secondary Plan, and amends Schedule H2 to redesignate the property from "Low-rise 12.5 to 14 metres" to "Mid-rise – nine-Storeys".

Amendment to the New Official Plan add a site-specific policy within The Rideau Canal Special District policies to allow a mid-rise building, up to nine-storeys, at 50 The Driveway.

The Zoning application proposes to rezone the subject site into a Residential Fifth Density Zone (R5), including site-specific provisions for various performance standards and holding symbol criteria, with a maximum height of 31 metres (nine-storeys), to permit the proposed residential building.

Applicable Policy

The proposed development is consistent with the Official Plan. The subject site is designated General Urban Area, which permits a broad range of residential uses and densities. Through the evaluation of Sections 2.5.1 and 4.11, the proposed building, despite being taller than four-storeys, has resulted in a compatible development using generous setbacks, landscape buffers, and built form transition to provide an appropriate mass and scale in response to the surrounding existing context.

Despite the requirement for an Official Plan Amendment to consider the proposed development, staff are of the opinion that the proposal maintains the overall intent and goals of the Official Plan and Centretown Secondary Plan, and New Official Plan.

Public Consultation/Input

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

Councillor McKenney and the applicant organized a community information session, held virtually, on October 7, 2021. Approximately 60 individuals participated in the meeting and the process allowed for questions of the applicant team and City staff.

During application review approximately 100 individuals/groups provided comments. Concerns raised were focused on height and scale, trees and greenspace, traffic, parking, housing, design, and construction.

RÉSUMÉ

Recommandation du personnel

Le personnel chargé d'urbanisme recommande l'approbation des modifications du Plan secondaire du centre-ville, des politiques relatives au secteur spécial du canal Rideau et du Règlement de zonage 2008-250 visant le 50, The Driveway. Ces modifications permettront d'autoriser la construction d'un immeuble résidentiel de neuf étages abritant environ 88 logements et garantiront une conception assurant la conservation patrimoniale de parties du bâtiment existant.

La modification du Plan officiel consisterait à ajouter des politiques propres à l'emplacement permettant la présence d'un immeuble de hauteur moyenne dans le

secteur pittoresque résidentiel du Plan secondaire, et à modifier l'annexe H2 afin de faire passer la désignation de la propriété de « faible hauteur, 12,5 à 14 mètres » à « hauteur moyenne, neuf étages ».

La modification du nouveau Plan officiel consisterait à ajouter une politique aux politiques propres à l'emplacement du secteur spécial du canal Rideau, afin de permettre la construction d'un immeuble de hauteur moyenne pouvant atteindre neuf étages, au 50, The Driveway.

La demande relative au zonage consisterait à attribuer à l'emplacement visé une désignation de Zone résidentielle de densité 5 (R5), assortie de dispositions propres à l'emplacement relatives aux normes fonctionnelles et aux critères d'aménagement différé, et d'une hauteur maximale de 31 mètres (neuf étages), et ainsi permettre la construction de l'immeuble proposé.

Politique applicable

L'aménagement proposé est conforme au Plan officiel. L'emplacement est désigné secteur urbain général, une désignation qui permet une vaste gamme d'utilisations et de densités résidentielles. Lors de l'évaluation des sections 2.5.1 et 4.11, l'immeuble proposé s'est avéré, malgré une hauteur supérieure à quatre étages, compatible grâce à des retraits généreux, à des zones tampons paysagées et à une transition de la forme bâtie offrant une volumétrie et une échelle appropriées au regard du contexte environnant.

Malgré le fait qu'une MPO doive tenir compte de l'aménagement proposé, le personnel est d'avis que le projet respecte quand même l'intention et les objectifs d'ensemble du Plan officiel, du Plan secondaire du centre-ville et du nouveau Plan officiel.

Consultation publique et commentaires

Les membres du public ont été avisés et consultés conformément à la politique en la matière adoptée par le Conseil municipal pour les demandes d'aménagement.

La conseillère McKenney et le requérant ont tenu une séance d'information virtuelle le 7 octobre 2021. Environ 60 personnes ont participé à cette réunion et ont pu poser des questions à l'équipe du requérant et au personnel de la Ville.

Une centaine de personnes et groupes ont formulé des commentaires à l'étape d'examen de la demande. Les préoccupations soulevées avaient trait à la hauteur et à l'échelle de l'immeuble, aux arbres et aux espaces verts, à la circulation, au stationnement, au logement, à la conception et à la construction.

BACKGROUND

Site location

50 The Driveway

Owner

Canadian Nurses Association

Applicant

J.L. Richards & Associates Ltd. (Tim Chadder)

Description of site and surroundings

The subject site is in the Golden Triangle neighbourhood on the property municipally known as 50 The Driveway. The site is located at the intersection of Lewis Street and The Driveway and is oriented towards Queen Elizabeth Drive and the Rideau Canal.

The property is approximately 2,860 square metres in total area and has 44 metres of frontage along Lewis Street. The site is currently occupied by the Canadian Nurses Association Headquarters and the existing building has some cultural heritage value, which is anticipated to be addressed through a separate staff report to Built Heritage Sub-Committee and on the agenda of the same Planning Committee of this report.

The surrounding area consists of a mix of housing types, including low, medium, and high-rise residential uses. East of the subject site is the Queen Elizabeth Driveway and the Rideau Canal, a UNESCO World Heritage Site. South of the subject site is predominately low-rise residential uses as well as the Embassy of Germany directly abutting the site. Immediately west of the site are three-storey townhomes and, further, low-rise residential dwellings that transition to mid-rise approaching the Elgin Traditional Mainstreet area. Immediately north of the site, across Lewis Street, is a 17-storey high-rise residential building with associated parking garage. North-west of site there are a variety of high and medium-rise residential and office buildings found within the otherwise low-rise residential neighbourhood.

Summary of proposed development

The proposed development consists of a nine-storey mid-rise residential building that will integrate a portion of the existing building façade to preserve the elements of cultural significance. A total of 88 dwelling units are proposed with a mix of unit types, with 50 per cent of the development slated for two-bedroom or larger units. An underground parking garage is proposed with 88 resident parking spaces, 12 visitor parking spaces and at least 88 bike stalls through a dedicated bike room. The site design also incorporates adding a larger landscape buffer along the residential edge of the property, and conservation of the existing “heritage” building and lantern will be incorporated into the new development.

Summary of requested Official Plan Amendment and Zoning By-law Amendments

The Official Plan Amendment (OPA) seeks to amend Policies 3.9.1.1 and 3.9.1.3, and Schedule H2 (Maximum Building Heights), from the Centretown Secondary Plan to permit a mid-rise apartment building up to nine storeys. Presently, the subject property is designated as Residential within the Centretown Secondary Plan and limits the range of residential uses to low-rise (up to four storeys).

An amendment to the New Official Plan, Volume 1, would add a site-specific policy within The Rideau Canal Special District (6.6.2.2), noted as “the maximum permitted building height is mid-rise, up to nine (9) storeys, on the lands municipally known as 50 The Driveway”.

The Zoning application proposes to rezone the subject site into a Residential Fifth Density Zone (R5), including site-specific provisions for various performance standards and holding symbol criteria, with a maximum height of 31 metres (nine-storeys), to permit the proposed residential building.

Details of the recommended rezoning includes the following:

- Rezone the property from Residential Fourth Density, Subzone 'UC', Exception 478 (R4-UC(478)) to Residential Fifth Density, Subzone 'B', Special Exception xxxx, Schedule 'YYY' and subject to a holding symbol (R5B [xxxx] SYYY -h).
- Urban Exception 'xxxx' will require minimum yard setbacks, minimum building stepbacks and maximum building heights as defined in the Schedule "YYY".
- Schedule 'YYY' identifies the minimum yard setbacks, minimum building stepbacks, and maximum building height as per the proposed development.
- Additional provisions, through exception 'xxxx', include a maximum parking rate, flexibility on the location of the heritage lantern projection as a projection above the height limit, restricting balcony projections along the western facade, and increasing the minimum bicycle parking rate.
- Details of the Section 37 contribution.
- The holding symbol (-h) criteria identifies the requirements for a Heritage Easement Agreement, registration of a Section 37 Agreement, and conditions within Site Plan approval to preserve trees and the cultural heritage elements of the existing building.

DISCUSSION

Public Consultation

For this proposal's consultation details, see Document 6 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

The Official Plan (2003, as amended) designates the subject property as General Urban Area as shown on Schedule B. The site is also located within the Centretown Secondary Plan, specifically within the Residential Character Area.

New Official Plan

The subject site is located within the Downtown Core Transect, and more specifically within the Rideau Canal Special District area of the core of the new Official Plan (OP).

The Downtown Core Transect speaks to maintaining and enhancing an urban pattern of built form, prioritizing walking and cycling, and locating the greatest densities within this transect with a minimum target of five per cent of large household dwellings within mid and high-rise buildings. The recommended official plan and zoning by-law amendments satisfies the new OP by adding residential intensification within an area designed as 15-minute neighbourhood, and a built form design that is compatible and fits within its surroundings.

Additionally, the subject site is also subject to the Rideau Canal Special District policies. The intent of the policies for the Rideau Canal Special District is to conserve its cultural heritage landscape while encouraging new sensitive opportunities for animation that enhance experiences for residents and tourists. With respect to the first row of properties along the corridor the intent of the policies is that new development will respect and reinforce the existing physical character. The policy framework is setup to encourage a future secondary planning process; however, provides direction for applications such as new development having to respect the existing patterns of building footprints, height, massing, scale, setback, and landscape character within the

associated streetscape, and have consideration for the visual relationship with the Rideau Canal. The proposal appropriately responds to the Rideau Canal district properties situated between an Embassy and 17-storey apartment, but more importantly demonstrates build form transition through setbacks, landscape and stepbacks in response to the neighbouring low-rise residential area. Planning and Heritage staff assessed the proposal within the context of the Rideau Canal and are satisfied that the development compliments the visual relationship to and from the Rideau Canal.

It is important to note the while the current OP includes the subject property within the Centretown Secondary Plan, this property was removed from the Secondary Plan (Central and East Secondary Plan) within the new OP and is therefore only subject to the parent new OP policies, such as the Downtown Core Transect and Rideau Canal Special District policies. Special Districts have been established in a manner that encourages future secondary plans. Staff are satisfied with the detailed review of this application, through an OPA and Rezoning, with the rationale and recommend that a mid-rise apartment represents an appropriate form of redevelopment and intensification for this unique site.

Planning rationale

Official Plan (2003, as amended)

The subject site is designated General Urban Area and permits the development of a full range and choice of housing types to the meet the needs of all ages, incomes, and life circumstances. Residential intensification through infill will relate to the existing character to enhance desirable patterns and built form while also achieving a balance of housing types and tenures. Development will be evaluated against compatibility with the existing context and planned function of the area.

Section 2.2.2, Managing Growth, provides policy direction for intensification and acknowledges that denser development, including taller buildings, should be located in areas supported by transit priority networks and areas with a mix of uses. The policy also notes that building heights and densities may be established through a secondary plan. Being located within the Centretown Secondary Plan, and the amendments noted in this report to consider a mid-rise apartment, the subject site has a broad range of access to a mix of uses and community amenities. It also located within walking

distance of several transit priority corridors and the Campus O-Train Station with good access to public transit, pedestrian and cycling infrastructure.

Sections 2.5.1 and Section 4.11 of the Official Plan provides policy direction for designing Ottawa, urban design, and compatibility.

Section 2.5.1 of the OP is broad in nature with design objectives such as defining quality spaces, ensuring safety and accessibility, respecting the character of the community, and sustainability. The building design incorporates a high standard of materiality and uses architecture and urban design to enhance articulation and breakdown the scale across the site, including transition from the abutting low-rise residential. Additionally, the design allows for a new sidewalk along Lewis Street and improved landscaping around the perimeter of the site.

Section 4.11 of the OP references the compatibility of new buildings within their surroundings through setbacks, heights, transitions, colours and materials, orientation of entrances, and incorporating elements and details of common characteristics of the area. The applicant made considerable revisions throughout the review process to address the importance of compatibility and the design approach on all four sides of the property. The western and southern portions of the property abut low-rise residential and generous landscaped setbacks are provided along this edge. Using the current zoning height limit of 11 metres an angular plane analysis was used to evaluate the appropriateness of the massing and scale given the application request to exceed four storeys. Majority of the building mass, especially within the first five-storeys, fall below the angular plane analysis and demonstrate an appropriate mass transition for the site context on the edge of the neighbourhood. As per the new and old OP, the visual relationship with the Canal was also important. The property is situated along the Canal in a portion that has a large setback from the Canal and Queen Elizabeth Drive behind a broad open space area and mature trees. View analysis from the Canal highlight that the building is within the datum line of the tree canopy and fits within the natural landscape while also allowing residents of the new building to capture Canal views.

The recommended amendments provide an appropriate framework to ensure quality urban design with built form transition, open spaces and landscape buffers, heritage conservation, and design principles in conformity with Policies 2.5.1 and 4.11. The building design incorporates a taller building (nine-storeys) within an otherwise low-rise

designation and is justified by the unique site context and the proposal details that have addressed compatibility. Secondary Plan

The Department supports the proposed amendment to Centretown Secondary Plan to allow the development of a nine-storey apartment building. The existing Canadian Nurses Association Headquarters within the existing building is not a permitted use as the subject site is located within the Residential Character Area. The proposal enables residential development and intensification in a manner consistent with the goals of the secondary plan. Although the plan currently limits this site to low-rise, the policy direction provides for new development in the Residential Character Areas to be consistent with the prevailing pattern of development along the street in the immediate vicinity, in terms of front and side yard setbacks and massing. 50 The Driveway is uniquely situated on a large parcel between an Embassy to the south and a 17-storey apartment to the north. The site is also situated along a bend of the Rideau Canal, within the downtown core, where the character north of the bend varies considerably from the character south of the bend. South of the Canal bend has a strong consistency of low-rise and mid-rise residential, while north of the bend includes a mix of low-rise and high-rise residential as well as larger institutional buildings on the east side of the Canal.

The Official Plan Amendment maintains the site within the Residential Character Area but allows for an increase in height from low-rise to a mid-rise building (up to nine-storeys). Due to the size of the large parcel and its context along Canal at the edge of the neighbourhood, built form transition through larger at-grade setbacks and stepbacks through the upper storeys was used to evaluate and ensure that the development is appropriate for the property despite being taller than four-storeys. For instance, the current R4 zoning permits an 11-metre-tall building 1.5 metres from the interior property line of the abutting townhomes to the west, which would have a greater built-form impact than what is proposed with the rear yard type setback and transition through stepbacks in the building mass.

With respect to the recommend zoning details the following provide a general rationale:

- Rezoning from an “R4” to an “R5” zone is required to allow for the development of a mid-rise apartment. As per the rationale provided throughout this report, staff recommend that a mid-rise apartment is appropriate for this unique site.

- Schedule YYY, as shown in Document 4, secures the setbacks along outside of the property, including the landscape buffer, and restricts to mass and scale to ensure that the 9-storey height limit is done in a manner with stepbacks to address compatibility through transition.
- The design of the building was particularly mindful of the relationship with the abutting low-rise residential areas to the west and south, and as such site-specific provisions have been added to the urban exception requiring the balconies to maintain the design intent as demonstrated through this application, such as being recessed and/or oriented to minimize overlook.
- To support the notion of this development contributing to active transit, the minimum bicycle parking rate was increased from 0.5 spaces per unit to 1.0 spaces per unit.
- The development requires Section 37, and while it is normal practice to delay the implementing by-law until the Section 37 agreement is executed, in this case the use of holding symbol was employed as the Canadian Nurses Association is in the process of selling the property and this obligation will be passed on to the purchase. For community benefit purposes, the monetary contribution will be indexed upwardly from the date of Council approval.
- A holding symbol has also been used as a tool to secure the heritage conservation elements of this development through a Heritage Easement Agreement, as well as noting some specific deliverables through Site Plan approval, such as tree preservation, which was not appropriate within a zoning provision.

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 planning.

The proposed zoning permits a mid-rise building apartment (up to nine-storeys, 31 metres) where the current zoning limits the height to 11 metres, and the proposed Gross Floor Area is more than 25 per cent of that permitted as of right. As such, the owner is required to provide a Section 37 contribution. As discussed, in this report, planning staff are satisfied that the proposed development conforms with the principles and policies of the Official Plan, the Centretown Secondary Plan, and that it represents good planning.

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. Potential community benefits may also be determined through a secondary planning process.

In accordance with the Council-approved guidelines, the amount of the Section 37 contribution, based on a gross floor area of 8,930 square metres for this proposal, has been determined to be \$200,000 after draw-down factors. This contribution will provide the following:

- Ward 14 specific account for affordable housing: \$200,000

Note: some of the draw-down factors that also contribute as public benefit, to be secured through Site Plan (and Heritage Easement Agreement), include conservation of portions of the existing “heritage building” including the heritage lantern for incorporation into the new development.

The exact details of the improvements are to be determined between City of Ottawa staff, the Ward Councillor, and the community, subject to community consultation and concurrence by the Ward Councillor.

The details of the Section 37 contributions are also contained within the Zoning By-law amendment (see Document 3). 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 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 Council approval to the

date of payment. The Zoning By-law is subject to holding symbol which will not be lifted until such time as the agreement under Section 37 of the *Planning Act* is executed.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the 2020 Provincial Policy Statement.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

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

Councillor McKenney and the applicant organized a community information session, held virtually, on October 7, 2021. Approximately 60 individuals participated in the meeting and the process allowed for questions of the applicant team and City staff.

During application review approximately 100 individuals/groups provided comments. Concerns raised were focused on height and scale, trees and greenspace, traffic, parking, housing, design, and construction.

COMMENTS BY THE WARD COUNCILLOR

Councillor Catherine McKenney provided the following comment:

"Some key changes were introduced between the original submission and the final application that improve this proposal. For example, increasing the Lewis St setback to provide the required 3m setback permits a more open public realm and pulling the parking garage back from Lewis to allow for sufficient soil volume and space for street trees were both positive changes that responded to community concerns.

However, I do not support the proposed height of 9 storeys. This area is mainly characterized by low-rise buildings 3 storeys or under and a 9-storey building at this location is inappropriate. High-rise apartments exist in the Golden Triangle area, but these are not the predominant built form."

ADVISORY COMMITTEE(S) COMMENTS

No comments were provided from an advisory committee. The Accessibility Advisory Committee will be consulted when a Site Plan application is submitted.

LEGAL IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

FINANCIAL IMPLICATIONS

In accordance with the Council-approved guidelines, the amount of the Section 37 contribution has been determined to be \$200,000 after draw-down factors. Some of the draw-down factors that also contribute as public benefit, to be secured through Site Plan (and Heritage Easement Agreement), include conservation of portions of the existing "heritage building" including the heritage lantern for incorporation into the new development.

The exact details of the improvements are to be determined between City of Ottawa staff, the Ward Councillor, and the community, subject to community consultation and concurrence by the Ward Councillor.

These community benefits will be secured prior to the issuance of the first building permit and details on final contribution will be contained within the Section 37 agreement and will be indexed in accordance with the Statistics Canada Construction Price Index for Ottawa that applies to the type of community benefit being secured, calculated from the date of Council approval to the date of payment.

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

ACCESSIBILITY IMPACTS

The new building will be required to meet the accessibility criteria contained within the *Ontario Building Code*. When an application for Site Plan Control is submitted the proposed development will be circulated to the Accessibility Advisory Committee for review and comment.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification
- Thriving Communities

APPLICATION PROCESS TIMELINE STATUS

These applications (Development Application Number: D01-01-21-0012 (OPA), D02-02-21-0072 (Zoning)) were not processed by the "On Time Decision Date" established for the processing of Official Plan and Zoning By-law amendments due to workload volumes and the complexity of the development resulting in several revisions and details review.

SUPPORTING DOCUMENTATION

Document 1	Location Map
Document 2a	Details of Recommended Official Plan Amendment XX
Document 2b	Details of Recommended Official Plan Amendment XX (New Official Plan)
Document 3	Details of Recommended Zoning
Document 4	Schedule YYY

Document 5 Proposal Images

Document 6 Consultation Details

DISPOSITION

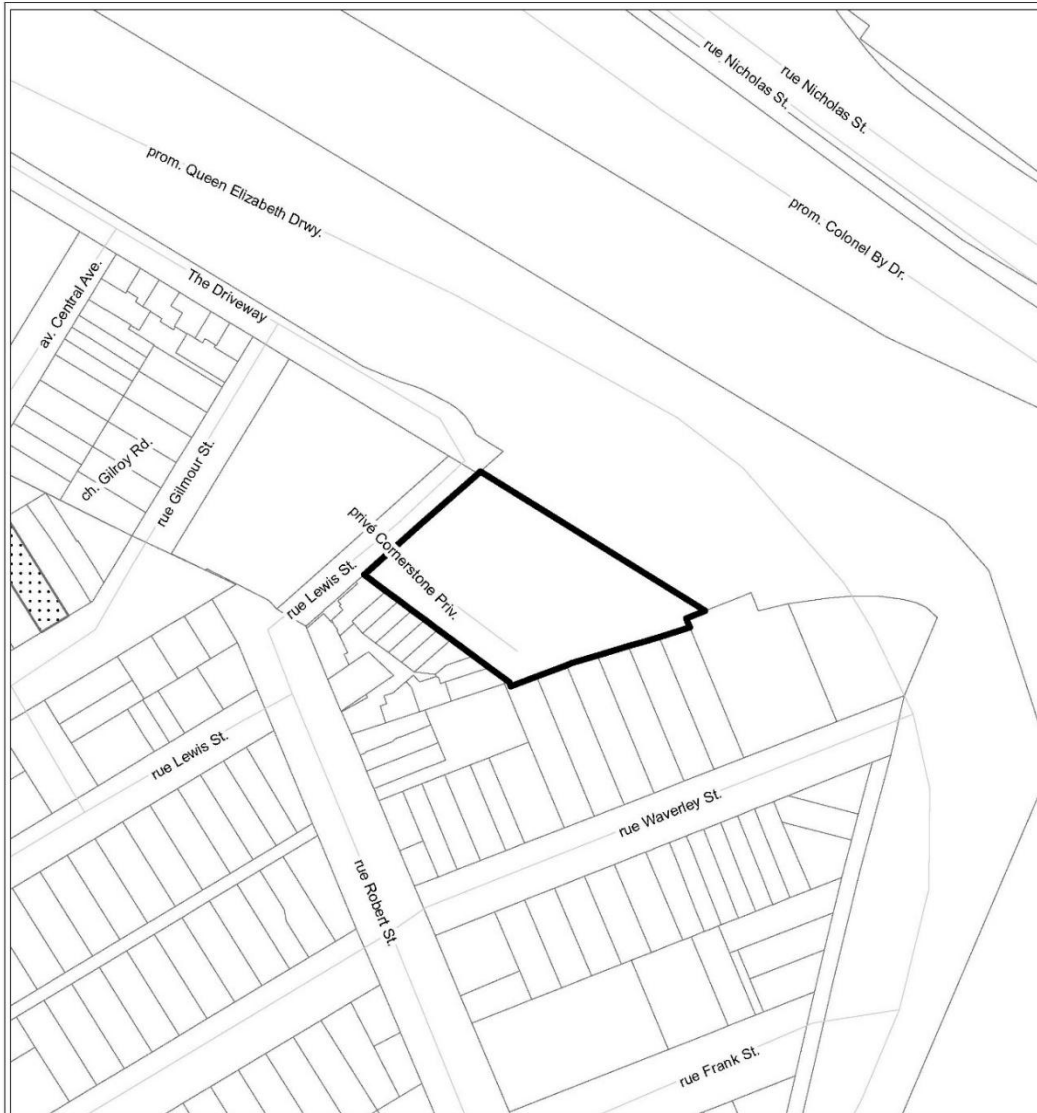
Office of the City Clerk, Council and Committee Services to notify the owner; applicant; Ottawa Scene Canada Signs, 13-1920 Merivale Road, Ottawa, ON K2G 1E8; Krista O'Brien, Program Manager, Tax Billing and Control, Finance Services Department (Mail Code: 26-76) of City Council's decision.





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	
D02-02-21-0072	22-0071-X	50 The Driveway	
I:\CO\2022\Zoning\The_Driveway_50		 Area A to be rezoned from R4UC[478] to R5B[xxxx] SYYY-h Le zonage du secteur A sera modifié de R4UC[478] à R5B[xxxx] SYYY-h	
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REVISION / RÉVISION - 2022 / 01 / 31			

Document 2a – Details of Recommend 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 C – THE APPENDIX -Schedule 1 of Amendment XX – Official Plan for the City of Ottawa

PART A – THE PREAMBLE

Purpose

Location

Basis

Rationale

PART B – THE AMENDMENT

Introduction

Details of the Amendment

Implementation and Interpretation

PART C – THE APPENDIX

Schedule 1 of Amendment XX – Official Plan for the City of Ottawa

PART A – THE PREAMBLE

1. Purpose

The purpose of this amendment is to amend the Centretown Secondary Plan, specific to 50 The Driveway, by re-designating the lands on Schedule H2 with a maximum height limit of “mid-rise – 9 storeys”.

The summary of proposed amendments and changes to the Centretown Secondary Plan made through this amendment area as follows:

- a. Increase the maximum permitted building heights from “LOW-RISE - 12 TO 14.5M - 4 STOREYS (R4V ZONE - 11M)” to “MID-RISE – 9 STOREYS”.
- b. Provide site specific policy for 50 The Driveway to allow for a mid-rise apartment building up to 9-storeys.

2. Location

The proposed Official Plan amendment includes changes only applicable to 50 The Driveway. The subject lands are located at the corner of Lewis Street and The Driveway.

3. Basis

The amendment to the Official Plan was requested by the applicant in order to build a nine-storey apartment building.

4. Rationale

The proposed Official Plan amendment to the Secondary Plan represents good planning as the amendments will allow for a residential development, while preserving the important heritage attributes of the existing building. The development, in manner consistent with policy, will allow for a range of housing choices and add residential intensification within an existing community with excellent access to amenity and active transportation. The development achieves compatibility through built form transition and by providing generous setbacks and a landscape buffer around the perimeter of the site that abuts low-rise residential. The amendment is consistent with broader goals of the Official Plan and represents quality city building and good planning.

PART B – THE AMENDMENT

1. Introduction

All of this part of this document entitled Part B – The Amendment consisting of the following text and the attached Schedule constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

2. Details

The City of Ottawa Official Plan, Volume 2a, Centretown Secondary Plan, is hereby amended as follows:

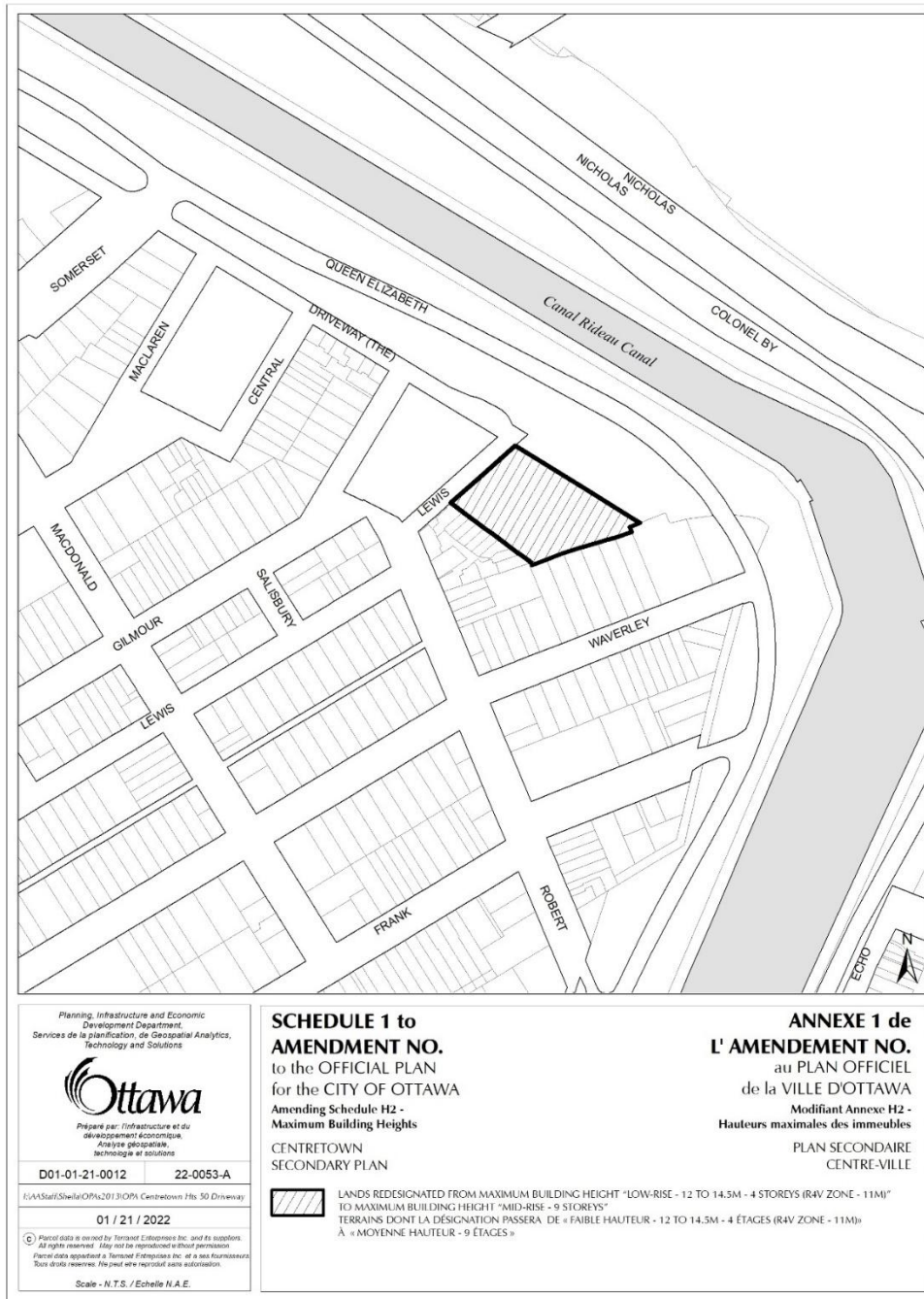
- 2.1 by amending Schedule H2 –Maximum Building Heights, by re-designating 50 The Driveway from “LOW-RISE - 12 TO 14.5M - 4 STOREYS (R4V ZONE - 11M)” to “MID-RISE – 9 STOREYS” as shown on Schedule 1 of this document, in Part C – The Appendix.
- 2.2 by adding a new policy in Section 3.9.1 (Residential Character Areas) as follows:

“Notwithstanding Policies 3.9.1.1 and 3.9.1.3, the maximum permitted building height is mid-rise, up to nine (9) storeys, on the lands municipally known as 50 The Driveway, as shown on Schedule H2”

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 – THE APPENDIX



Planning, Infrastructure and Economic
 Development Department
 Services de la planification, de Géospacial Analytics,
 Technology and Solutions

Ottawa
 Prépare par: Infrastructure et du
 développement économique
 Analyse géospaciale,
 technologie et solutions

D01-01-21-0012 22-0053-A

I:\ASStaff\Shella\OPAs\2013\OPAs\Centretown Hts 50 Driveway

01 / 21 / 2022

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Scale - N.T.S. / Echelle N.A.E.

**SCHEDULE 1 to
 AMENDMENT NO.
 to the OFFICIAL PLAN
 for the CITY OF OTTAWA**
 Amending Schedule H2 -
Maximum Building Heights

CENTRETOWN
 SECONDARY PLAN



LANDS REDESIGNATED FROM MAXIMUM BUILDING HEIGHT "LOW-RISE - 12 TO 14.5M - 4 STOREYS (R4V ZONE - 11M)"
 TO MAXIMUM BUILDING HEIGHT "MID-RISE - 9 STOREYS"
 TERRAINS DONT LA DÉSIGNATION PASSERA DE « FAIBLE HAUTEUR - 12 TO 14.5M - 4 ÉTAGES (R4V ZONE - 11M) »
 À « MOYENNE HAUTEUR - 9 ÉTAGES »

**ANNEXE 1 de
 L' AMENDMENT NO.
 au PLAN OFFICIEL
 de la VILLE D'OTTAWA**
 Modifiant Annexe H2 -
Hauteurs maximales des immeubles

PLAN SECONDAIRE
 CENTRE-VILLE

Document 2b – Details of Recommended Official Plan Amendment (New Official Plan)

**Official Plan Amendment XX to the
New 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 New Official Plan for the City of Ottawa.

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

PART A – THE PREAMBLE

Purpose

Location

Basis

Rationale

PART B – THE AMENDMENT

Introduction

Details of the Amendment

Implementation and Interpretation

PART A – THE PREAMBLE

5. Purpose

The purpose of this amendment is to amend The Rideau Canal Special District policies, specific to 50 The Driveway, to add site specific policies to permit a mid-rise building, up to a maximum height of nine-storeys.

The summary of proposed amendments and changes to amend The Rideau Canal Special District policies made through this amendment area as follows:

- c. Provide site specific policy for 50 The Driveway to allow for a mid-rise apartment building up to nine-storeys.

6. Location

The proposed Official Plan amendment includes changes only applicable to 50 The Driveway. The subject lands are located at the corner of Lewis Street and The Driveway.

7. Basis

The amendment to Official Plan was requested by the applicant in order to build a nine-storey apartment building. Given the review process and consultation on the proposed development, and the timing between the current and new Official Plan, details of the amendment cover both the current and new Official Plan.

8. Rationale

The proposed Official Plan amendment to The Rideau Canal Special District policies represents good planning as the amendments will allow for a residential development, while preserving the important heritage attributes of the existing building. The development, in manner consistent with policy, will allow for a range of housing choices and add residential intensification within an existing community with excellent access to amenity and active transportation. The development achieves compatibility through built form transition and by providing generous setbacks and a landscape buffer around the perimeter of the site that abuts low-rise residential. The amendment is consistent with broader goals of the new Official Plan and represents quality city building and good planning.

PART B – THE AMENDMENT

3. Introduction

All of this part of this document entitled Part B – The Amendment consisting of the following text constitutes Amendment No. XX to the New Official Plan for the City of Ottawa.

4. Details

The City of Ottawa New Official Plan, Volume 1, is hereby amended as follows:

- 3.1 by adding a new policy in Section 6.6.2.2 (The Rideau Canal Special District), after policy (4), as follows:

“The maximum permitted building height is mid-rise, up to nine (9) storeys, on the lands municipally known as 50 The Driveway”

4 Implementation and Interpretation

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

Document 3 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law No. 2008-250 for 50 The Driveway are as follows:

1. Rezone the lands, shown in Document 1, from R4-UC [478] to R5B [xxxx] SYYY -h.
2. Amend Part 17, Schedules, by a new Schedule 'YYY', as shown in Document 4.
3. Amend Section 239, Urban Exceptions, by adding a new exception [xxxx] with provisions similar in effect as follows:
 - a. In Column II, add the text R5B [xxxx] SYYY -h.
 - b. In Column V, include provisions similar in effect to the following:
 - i. Maximum permitted building heights, minimum setbacks and minimum setbacks are as per Schedule YYY.
 - ii. The maximum amount of parking spaces, excluding visitor parking, is the greater of 88 parking spaces or one space per dwelling unit.
 - iii. The ornamental element, known as the 'heritage lantern' from the building existing as of the date of Council approval, is permitted within a new development as projection above the height limit within Area H of Schedule YYY.
 - iv. Balconies on the fourth, fifth and sixth storey are not permitted to project beyond the outer wall of the same storey along the western façade.
 - v. The outdoor terraces/balconies on the third, seventh, eighth and ninth storeys are not permitted to project beyond the step back of the closest storey below.
 - vi. Despite Table 111(a)(b)(c), the minimum number of bicycle spaces required is 1.0 per dwelling unit or rooming unit.
 - vii. The following provisions dealing with a Section 37 authorization will also be added to the new exception in Section 239:

1. 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 b. below of this by-law.
 2. 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.
 3. 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.
- viii. The following will be added as Section X of Part 19 of the Zoning By-law, will be titled 50 The Driveway and will set out the facilities, services and matters that must be provided as per Section 37 of the *Planning Act*:

50 The Driveway

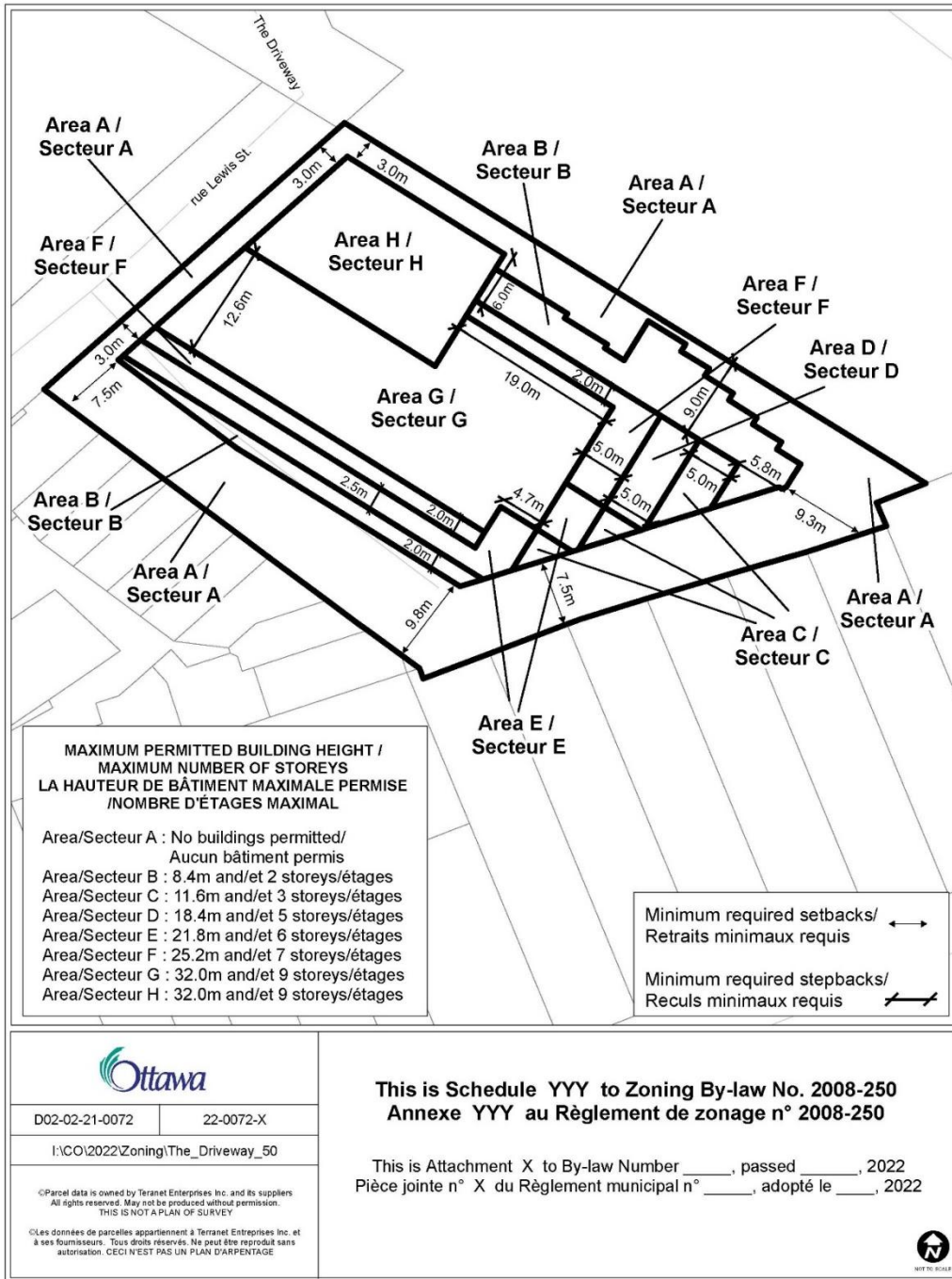
The City shall require that the owner of the lands at 50 The Driveway enter into an agreement pursuant to Section 37 of the *Planning Act*, to be registered on title, to the satisfaction of the City Solicitor and General Manager, Planning, Real Estate and Economic Development, to secure the public benefits 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 being \$200,000 to the City, indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Ottawa, calculated from the *date of by-law XXX* approval to the date of payment.

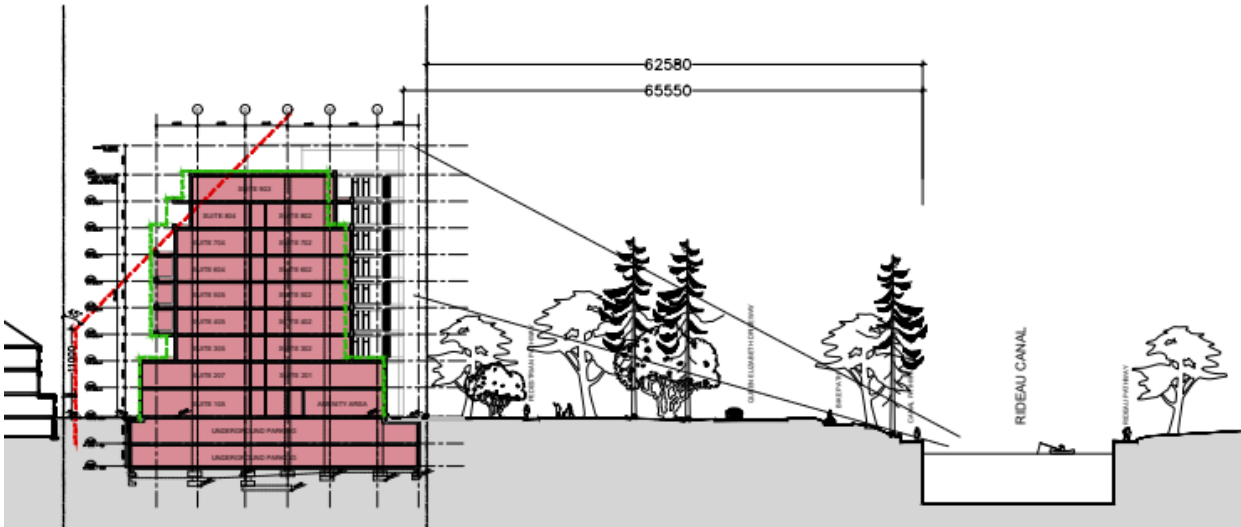
- a. The specific benefits to be secured and provided are:
 - Ward 14 specific account for affordable housing:
\$200,000
 - b. Notwithstanding the foregoing, the owner and the City may modify or amend said agreement(s), from time to time upon the consent of the City and the owner, without further amendment 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 proposed development.
- ix. The holding symbol may not be lifted until the following is satisfied:
1. The Owner shall enter into a Heritage Easement Agreement under Section 37 of the *Ontario Heritage Act* with the City, for the purposes of the conservation of the cultural heritage values and attributes of the existing property at 50 The Driveway, as of the date of Council approval. The cultural heritage values and attributes will be identified through the heritage easement agreement. The easement will reflect the final elevations, site/landscape plans, lighting, and interpretation plans, to be approved through conditions of Site Plan Control and secured via a Site Plan Agreement or within the Heritage Easement Agreement. Council approval and execution of the Heritage Easement Agreement is required prior to lifting the holding symbol; and

2. A Site Plan application has been approved, including execution of an agreement pursuant to Section 41 of the *Planning Act*, to the satisfaction of the General Manager, Planning, Real Estate and Economic Development, satisfying the following:
 - a. Confirm the below grade garage/foundation has been designed in an effort to protect trees found on abutting properties and those within the National Capital Commissions lands.
 - b. Approved plans and/or reports will clearly identify conservation of the cultural heritage elements defined and identify the strategy for keeping preserved items in the same condition for inclusion in new development; and
3. Registration of a Section 37 Agreement, or similar development agreement, to the satisfaction of the General Manager, Planning, Real Estate and Economic Development.

Document 4 – Schedule 'YYY'



Document 5 – Proposal Images





Document 6 – Consultation Details

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

Councillor McKenney and the applicant organized a community information session, held virtually, on October 7, 2021. Approximately 60 individuals participated in the meeting and the process allowed for questions of the applicant team and City staff.

During application review approximately 100 individuals/groups provided comments. Concerns raised were focused on height and scale, trees and greenspace, traffic, parking, housing, design, and construction.

Public Comments and Responses

Height and scale

- Concerns regarding the shadows that will be created from the proposed development onto existing residences / Rideau Canal Special District and NCC lands.
- The scale is too large for the surrounding context, and concerns regarding the building envelope taking over the entire site. Would be more comfortable with a development that is 5 or 6-storeys.
- Proposed height infringes on existing resident's privacy. Balconies that will overlook residences will diminish resident's sense of space and quality of life. Consider the spatial impact of nine-storeys.
- Would like to see more justification for application for multiple zoning amendments.
- The described architectural benefits of a nine-storey building have caused concerns that Lewis will turn into a "canyon". Residents described height as unnecessarily high for this neighbourhood, and that the proposal is building too close to the curb. Would like to see larger setback from Lewis rather than requesting a variance to mitigate the oppressive design.

- Suggestion of proposing surface level parking and a lower height to reduce the scale of the building.

Response:

Through application review and several revisions, the proposal details were amendment addressing some of the key concerns noted from members of the public (and staff). The setback along Lewis Street was increased to 3.0 metres, including changes to the below grade garage, to allow for a softer street scape with a sidewalk and room for landscaping such as street trees. The building mass was revised significantly since the original submission to provide for a greater amount of stepbacks on the upper storeys to address compatibility through transition. The updated sun shadow study demonstrates the majority of the shadowing falls unto the garage across the street and moves into the open spaces are along the Canal that already shadowed due to other buildings and the presence of heavy landscaping.

Trees and greenspace

- Questions and concerns surrounding greenspace availability to the public.
- Many concerns regarding the valuable mature trees and unnecessary removal. Would like to see more trees retained and protected.

Response:

Revisions were made to the proposed design, most notably the garage level, to ensure that mature trees around the perimeter of the site and with the NCC lands will be preserved. 50 The Driveway is a private property and does not have public available greenspace. However, through development, a significant landscape buffer with new trees will be provide through Site Plan Control along the edge of the site in response to the abutting low-rise residential.

Traffic

- Concerns raised surrounding traffic generated due to parking availability in proposal, including how livability will be impacted.
- Lewis is a small/narrow street and will not be able to support the traffic volume generated from the project. It is also a one-way street.

- Increased traffic raises concerns for safety of pedestrians and families walking to school. Also concerns around how pedestrian/bike/car traffic will co-exist and be sustainable on Lewis.
- How does the proposal conform with s. 3.4.6 of Centretown Secondary Plan (Minimize and mitigate the impact of the traffic on residential streets).
- TIA Comment: "Traffic impact study erroneously states there are no driveways or intersections on Lewis between Robert and Driveway. This ignores the existence of Cornerstone Private."
- Questions regarding if roadway modifications will occur to accommodate increased car use in the area.

Response:

The Transportation Impact Assessment was revised as the proposal details evolved, including the reference to the Cornerstone Private access. Staff are satisfied with the findings of the transportation report for the purpose of rezoning and will continue to review the assessment when an application for Site Plan is submitted. The development has committed to a large bicycle room and has increased the zoning provision to require at least one bicycle parking space per unit. The residential parking rate for this development allows for a maximum of 1.0 space per unit or up to 88 spaces to ensure the development remains within the assessment reviewed through these applications. The subject site is in a prime location to active transportation whereby many trips can be made through the use of walking, biking or public transit, despite owning a vehicle.

Parking

- Residents questioned the logic behind providing 1.4 parking spaces per unit. Parking ratio seems inconsistent given the walkability of the neighbourhood and height justification from the proximity to the LRT.
- Hope to see provision for electric car systems proposed.
- Hope to see bike parking is secure and sheltered.

Response:

Through application review the rate of parking was reduced to 1.0 space per unit, and more visitor parking is provided than required. The applicant has committed to installing Electric Vehicle Parking within the parking stalls and this will be reviewed through Site Plan Control. The current concept includes a dedicated bike room within the P1 level of the garage. This will be reviewed in greater detail through Site Plan.

Housing

- The original statement said that the building would consist of rental units. This is inconsistent with the proposed condominiums.
- How will diverse populations be accommodated?

Response:

The applications before the City will not determine whether this building will be rental or condominium, and the tenure is not relevant for the purpose of the amendments. The proposal, in a manner consistent with the current and new Official Plan, provides a variety of unit types from bachelor to two-bedroom+, and it is worth noting that the average at least 50 per cent of the development is intended for larger units (two-bedroom+).

Design

- Design is not desirable. Project feels like a maximum approach rather than finding something that fits more into the neighbourhood.
- Concerns regarding heritage preservation and how it will be impacted by development. Removing the lantern – this is a distinguishing component of cultural significance.
- Would like more explanation on how this emphasizes the visual relationship of the development with the canal as well as how to balance within the context and heritage significance.
- Concerns surrounding the location of loading and garbage – would like to get assurance that this will not be a utility area in their backyards. Would like garbage removal, snow storage, and on-street parking to be addressed. Issues with the way the building frames Lewis Street.

Response:

Planning and heritage staff worked closely with the applicant on the design, especially as it relates to conservation of portions of the existing building and re-incorporating the lantern into the top of the new building. Waste Management and loading will be reviewed through Site Plan but based on the proposal design the relationship of this development and the abutting residential uses is to have rear yard met with a landscape buffer and amenity area of the development site.

Construction

- Concerns surrounding potential damage to homes (foundations and structures) during construction from excavation next to their property line.
- Clarification wanted on how the construction site will be accessed.
- Construction access from Lewis is impractical, suggestions to consider further demolition of mature trees in terms of access from QEW and request this be evaluated. Concerns around further removal of trees than presented to accommodate turning radius of vehicles.

Response:

Through Site Plan Control, the methods for excavation will be reviewed and if blasting is required this is strictly regulated to ensure that abutting properties are protected. All construction activity will be subject to the Noise By-law and the method for construction has not been determined at this point.

Community Organization Comments and Responses

The Centretown Community Association provided comments in response to the initial application circulation in a letter dated October 12, 2021. The main comment themes are summarized as follows:

Respond to Ottawa's Climate Emergency

- Building should achieve the highest standard of energy efficiency.
- The City of Ottawa has declared a climate emergency. This emergency demands action.

- City should require energy efficiency upfront and prior to approval of this application.

Response:

The City is the process of establishing High-Performance Development Standards as one tool to address Climate Emergency. As this is not yet in effect, this will be further evaluated and considered when an application for Site Plan Control is submitted.

Encourage Less Driving

- 100 parking spaces for 66 units is a high ratio and new buildings should be encouraged to have less parking. Driving in the core should be discouraged.
- The site is ideal for walking, biking and transit use, and is well within a transit hub and easy access to Campus O-Train Station. It is within a prime example of a 15-minute neighbourhood. Why would residents be encouraged to have a car with a high parking ratio.

Response:

The proposal was revised resulting in the residential parking rate being a 1.0 space permit unit and this was added in the zoning provisions to reduce the maximum amount of parking permitted. Staff agree that this location represents an excellent example of a 15- minutes neighbour with access to amenities and quality active transit infrastructure. This will be a factor to residents, even those who own a car, whereby many trips made will choose the desirable convenience of active transit, depending on the trip.

Enhance Tree Canopy

- The proponent proposes the removal of 14 trees, five on NCC lands and the rest on the privately owned site. We propose the developer reduce its too-large underground parking garage and build the foundation around the root balls of the three big trees.

Response:

The comment is addressed by the latest proposal and is secured through the holding symbol provisions.