

May 23, 2023
Our File No.: 31730

VIA: E-MAIL Jean-Charles.Renaud@ottawa.ca

Mr. Jean-Charles Renaud MCIP, RPP
Planner III (A)
Development Review Central
City of Ottawa
110 Laurier Avenue West
Ottawa, Ontario K1P 1J1

Dear Mr. Renaud:

Re: Planning Rationale Addendum for 245-267 Rochester: Support for an Official Plan Amendment

This letter has been prepared on behalf of our client, 3N Group Holdings Inc., in support of their current applications for the subject lands known as 245-267 Rochester Street. Specifically, this addendum letter is to follow-up on our recent discussions and request by City Staff for an Official Plan Amendment (OPA), along with the current active applications for a Zoning By-law Amendment (ZBA) and Site Plan Control Application (SPC) and to describe the rationale for the OPA.

Timeline of File to Date

A pre-application consultation meeting for the ZBA and SPC applications took place on Wednesday June 16th, 2022, via Microsoft Teams. This meeting included City Staff, members from our Project team including our client and architect, and a representative from the Dalhousie Neighbourhood Association. The pre-consultation meeting minutes and list of required plans and studies was provided to the Project Team on Tuesday June 28th, 2022.

Based on the meeting minutes provided and further discussions with City Staff, it was concurred that an Official Plan Amendment would not be required to redevelop the subject lands to a 5-9 storey mid-rise building. Justification was provided based on the proposed development being located within an area already characterized by taller buildings as per section 3.6.1(4)(b) of the City of Ottawa Official Plan, 2003:

4. Notwithstanding Policy 3, new taller buildings may be considered for sites that:

b. are in an area already characterised by taller buildings or sites zoned to permit taller buildings. [Amendment #150, LPAT October 22, 2018]

The proposed mixed use mid-rise building is located in an area already characterised by taller buildings and there area several properties in the area (mostly those within 450m walking distance to a future rapid transit station) are zoned or planned for taller buildings.

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The applications for ZBA and SPC were submitted on November 2nd, 2022, and were deemed complete by City Staff on November 10th, 2022, with no OPA required (applications were deemed complete based on City of Ottawa Official Plan, 2003).

On November 4th, 2022, the new City of Ottawa Official Plan, 2021, was approved by the Ministry of Municipal Affairs and Housing. A similar policy regarding areas characterized by taller buildings as found in the previous OP was also present. The new OP section 6.3.1 reads as follows:

2) Permitted building heights in Neighbourhoods shall be Low-rise, except:

- a) Where existing zoning or secondary plans allow for greater building heights; or*
- b) In areas already characterized by taller buildings.*

Along with this policy, the evolving neighbourhood overlay, being located adjacent to the minor corridor designation, being within 450m walking distance to a future rapid transit station, and located in a context that contains a mix of mid-rise building typologies, the project was supported without the need for an OPA based on the new Official Plan

During the ongoing formal circulation process and discussion with City Staff, changes were made to the built form of the proposed redevelopment. To address City comments (including public comments), an increase to both the rear and interior side yards abutting the adjacent neighbourhoods was implemented. These changes minimized potential compatibility issues between the adjacent residential uses by decreasing shadow impacts, preserving more trees and green space while overall providing an increase of space between the residential dwellings. Increased step backs were also made to provide a better transition in height and lower heights at the street level.

The second submission was submitted to City Staff on April 1st, 2023. However, the Project Team was informed in late April that the City Planning Policy group had developed an internal policy interpretation of policy 6.3.1(2) as well Table 7 in Section 5 and policies under 6.2.1(1), which describe heights and policies for sites within the minor corridor designation. This interpretation was confirmed after receiving the 2nd round of comments on May 2nd, 2023, as outline below.

- 1. As discussed via telephone and email with your Planning Consultant at JLR, a recent clarification from the City's Economic Development and Long-Range Planning group has resulted in a change in interpretation on a key Official Plan policy.*

Policy 6.3.1(2) states that "permitted building heights in Neighbourhoods shall be Low-rise, except [...] in areas already characterized by taller buildings". The intent of this policy is to recognize areas of highly urban Neighbourhoods that are already characterized by mid- and high-rise buildings, but where the zoning does not match, to allow for a site-specific Zoning By-law Amendment application that provides a rationale for how a proposed development is in keeping with the evolution of the neighbourhood from a low-rise to mid-rise or high-rise Neighbourhood. That being said, the overall intent remains for Neighbourhoods to be low-rise, and Policy 6.3 refers to "areas" only within the Neighbourhood designation. Therefore, any taller building heights outside this designation, such

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as in an abutting Hub or Corridor, do not count towards the characterization of existing building heights in the Neighbourhood.

- *Furthermore, “in areas already characterized by taller buildings” means where the majority of lands in the immediate area are occupied by existing mid- or high-rise buildings.*
 - *Further to an email conversation last week, this is to confirm that this property can’t be considered as being affected by the Corridor designation. 6.1.1.1 states that “the Corridor designation applies to any lot abutting the Corridor”. Although the land assembly is within 120 metres of the Minor Corridor, it still doesn’t benefit from the Corridor designation since it does not abut the Corridor.*
2. *Given the above information which confirms that the Official Plan policies are not being met, it will therefore be necessary for you to submit an application for Official Plan Amendment in order to proceed with this development proposal. **Please note that staff’s previous comments regarding the appropriateness of a mid-rise typology in this area still stands, and that the Official Plan Amendment will serve to obtain the necessary amendment to the appropriate policies.***

As stated above and confirmed in an email dated Wednesday May 3rd, 2023, City Staff have confirmed a need for an OPA. This came based on a recent policy interpretation from the City of Ottawa’s Economic Development and Long-Range Planning group. City Staff confirmed both during phone conversations and in an email dated May 3rd, 2023, that they are supportive of this Official Plan Amendment as the proposed mid-rise typology on this particular property is appropriate.

It is our professional opinion that the proposed development conforms to both the previous and current Official Plan policies. Notwithstanding, we understand the City’s Economic Development and Long-Range Planning group have developed an interpretation of the sections detailed above which would require an amendment to the new Official Plan. Considering City staff have confirmed the proposed mid-rise typology is appropriate for the subject site, and that this OPA is to obtain a site-specific OPA to permit the proposed mixed-use mid-rise building, 3N Group Holdings Inc. has agreed to submit this OPA application.

We trust that this will provide a sufficient follow-up and rationale to our discussions regarding the Official Plan Amendment for 245-267 Rochester St. Should you have any questions, comments, or concerns, please feel free to contact the undersigned at your earliest convenience.

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J.L.Richards
ENGINEERS · ARCHITECTS · PLANNERS

Mr. Jean-Charles Renaud MCIP, RPP, City of Ottawa

Yours very truly,

J.L. RICHARDS & ASSOCIATES LIMITED

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CJ:mr