

FOTENN

**383 ALBERT STREET +
340 QUEEN STREET**

**ZONING BY-LAW
AMENDMENT +
SITE PLAN CONTROL**



October 02, 2018

Planning Rationale

Zoning By-law
Amendment and Site
Plan Control



Prepared for:



340 Queen Street Limited Partnership
A Division of Claridge Homes
210 Gladstone Avenue
Ottawa, ON K2P 0Y6
Claridgehomes.com

Prepared by:

FOTENN Planning
+ Design

Fotenn Planning + Design
223 McLeod Street
Ottawa, ON K2P 0Z8
fotenn.com

October 02, 2018

CONTENTS

1.0 Introduction2

2.0 Surrounding Area and Site Context.....4

3.0 Proposed Development7

4.0 Policy and Regulatory Context 10

5.0 Technical Studies..... 30

6.0 Conclusion 31

Fotenn Consultants Inc., acting as agents for 340 Queen Street Limited Partnership (a division of Claridge Homes), is pleased to submit Zoning By-law Amendment and Site Plan Control applications for the lands municipally known as 383 Albert Street and 340 Queen Street in the Central Area of the City of Ottawa.

1.1 Application History

In the summer of 2009, Fotenn assisted Claridge in the submission of a Zoning By-law Amendment application to permit a 22-storey residential building and a 17-storey office building on the property municipally known as 383 Albert Street. The property is an L-shaped lot with frontage on Albert Street, Lyon Street, and Queen Street. In response to Staff comments, the proposed development was revised to consist of residential uses, with commercial uses limited to the ground floor. In addition, the design was modified to feature three slender towers.

An application for Minor Variances was submitted to the Committee of Adjustment to allow the revised proposal. The application was originally heard on July 7, 2010 and adjourned to allow the opportunity for the applicant to consult with neighbouring residents. A public information session with these residents was held on July 20, 2010. Revised plans were then submitted in August and September 2010. The application was adjourned at the September 15, 2010 Committee of Adjustment meeting at the request of Staff to allow additional time to revise and complete supporting studies. During this time, Claridge purchased the neighbouring property municipally known as 340 Queen Street, a generally-rectangular parcel flanking the two interior sides of the parcel at 383 Albert Street. The larger parcel size allowed for a more comprehensive development of the eastern portion of the block, and more flexibility for the design of the three towers.

At the Committee of Adjustment hearing, members of the Carleton Condominium Corporation (CCC) expressed concerns about the design of the building and its compatibility with neighbourhood character. While Planning Staff was supportive of the application, the Committee of Adjustment refused the variances by majority vote. Claridge appealed the Decision to the Ontario Municipal Board (OMB).

While some variances were eliminated or modified as a result of a redesign, the remaining variances were approved by the OMB, including:

- / To permit a **height of 81.0 metres for Towers “A” and “B,”** whereas the By-law permits a maximum building height of 64.0 metres.
- / To permit a reduced **front yard setback of 2.5 metres along Queen Street,** whereas the By-law requires a minimum front yard setback of 3.0 metres.
- / To permit a reduced **corner setback of 2.41 metres on Lyon Street,** whereas the By-law requires a minimum corner setback of 3 metres.
- / To permit a reduced setback of **1.25 metres along Albert Street** for the first two storeys, whereas the By-law requires a minimum setback of 1.5 metres.
- / To permit a **reduced northerly side yard setback of 1.5 metres for Tower “C” at the first storey only.** The By-law requires a minimum side yard setback of 7.5 metres (1.5 metres for the first 21 metres back from a street lot line, plus 7.5 metres for the remainder).
- / To permit a reduced **northerly setback of 1.5 metres** (for Towers “B” and “C,” first storey only). The By-law requires a minimum setback there of 7.5 metres (1.5 metres for the first 21 metres back from a street lot line, plus 7.5 metres for the remainder).

-
- / To permit a reduced **westerly interior side yard setback of 3.075 metres** (for a portion of Tower “A” only), whereas the By-law requires a minimum side yard setback of 7.5 metres (1.5 metres for the first 21 metres back from a street lot line, plus 7.5 metres for the remainder).
 - / To permit an increase in **ground floor space and building wall occupied by commercial uses, to 100% of the total ground floor area** (2,157.5 square metres for 383 Albert Street and 494.3 square metres for 340 Queen Street), whereas the By-law says commercial uses cannot occupy more than 25% (551.53 square metres) of ground floor area at 383 Albert Street and 50% (287.15 square metres) of ground floor area at 340 Queen Street, and of more than 25% of the building wall that faces a street.
 - / To permit a **reduced landscape area of 8.9% of the total lot area** (approximately 353 square metres), whereas the By-law requires a minimum of 30% of the total lot area (1,183 square metres).
 - / To permit a **reduced communal amenity area of 33% of the required amenity area** (1,488 square metres), whereas the By-law requires 50% of the required amenity area (1,842 square metres).

Shortly after receiving approval by the OMB, Claridge suspended the project in response to weakened market conditions. The project was revived in 2017, with some modifications to the building design and a proposal for a hotel use in Tower “B.” While the hotel use is not shown on the submitted plans, the current Zoning By-law Amendment application seeks to permit a hotel use, as well as the revised development design.

The subject property, comprised of properties known municipally as 383 Albert Street and 340 Queen Street, is located in the Central Area of the City of Ottawa, immediately west of the Central Business District. The property is located in close proximity to Parliament Hill and other federal institutions, downtown offices, and the Centretown neighbourhood. Figure 1 illustrates the location of the subject property in the city context.

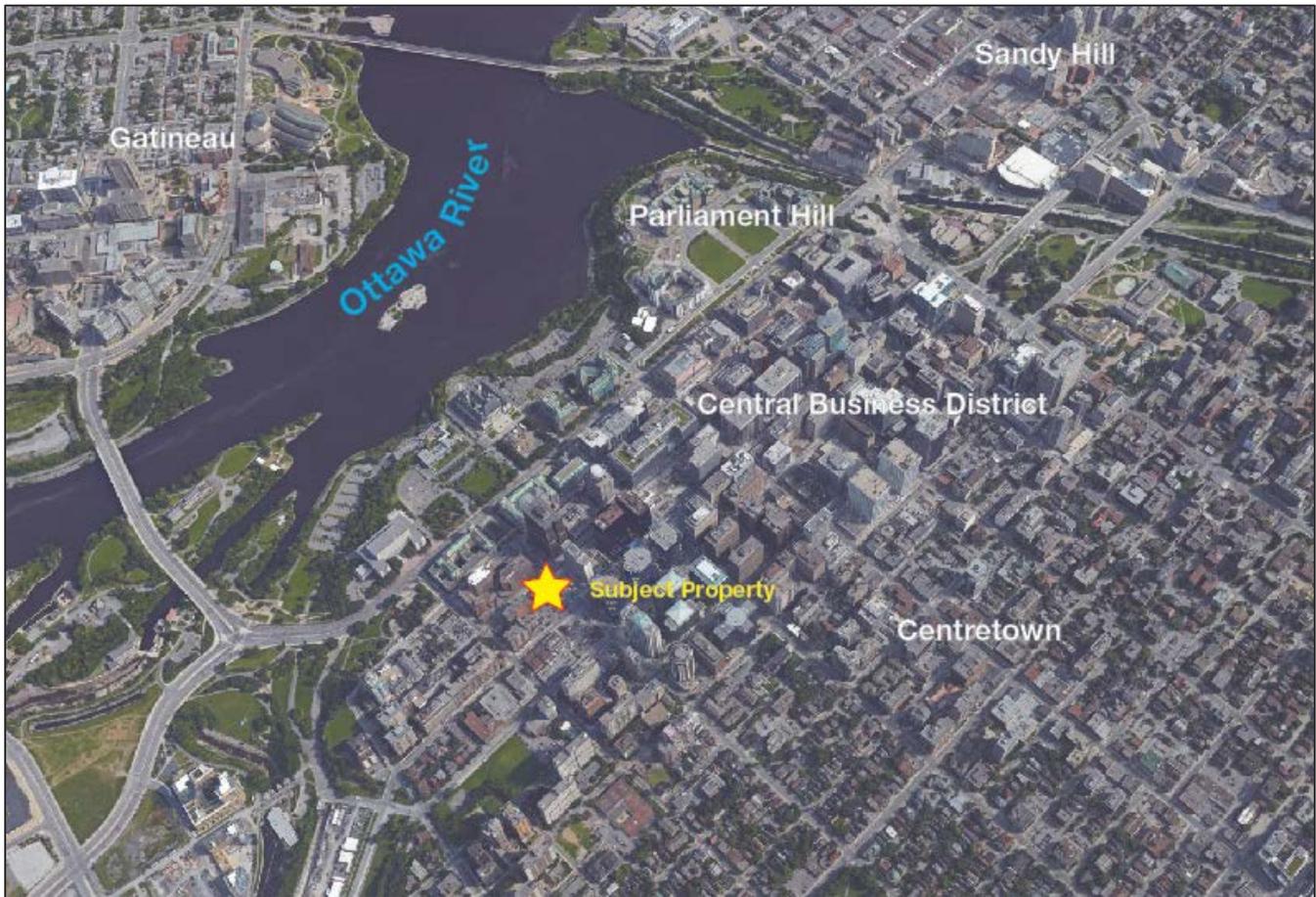


Figure 1: Subject Property in City Context

The surrounding area is characterized by a range of land uses, including residential, commercial, and institutional uses. While Lyon Street North is generally interpreted to be the western boundary of the Central Business District, the area to the west maintains a mix of uses, including residential, hotel, and institutional uses.

East of the subject property are a series of high-rise buildings. The buildings generally feature retail uses at grade and office uses above. Directly across Lyon Street North to the east is the Delta Ottawa City Centre Hotel, a 24-storey building with restaurant use at grade. The hotel features a lay-by on the property in the western yard, with access to Albert Street to the south and Queen Street to the north.

The subject property forms an L-shape, with frontage on Albert Street to the south (approximately 82 metres), Lyon Street North to the east (approximately 60 metres), and Queen Street to the north (approximately 45 metres). The property has an area of approximately 3,900 square metres.

The property at 383 Albert Street is currently used with a surface parking lot. The property at 340 Queen Street is currently developed with a two-storey brick building accommodating a restaurant, a cabaret, and a pub.

The balance of the block at 151 Bay Street is developed with a 13-storey residential building with frontage along Bay Street to the west, Queen Street to north, and Albert Street to the south. The majority of the façades facing the subject property are blank, with limited windows in these directions.

There is a 3-metre-wide right-of-way (alley) between the subject property and 151 Bay Street. Ownership of this alley is unknown at this time.

Figure 2 illustrates an oblique view of the subject property, looking northwest. Figure 3 illustrates a plan view of the subject property, with land uses indicated.



Figure 2: Oblique View of Subject Property, Looking Northwest

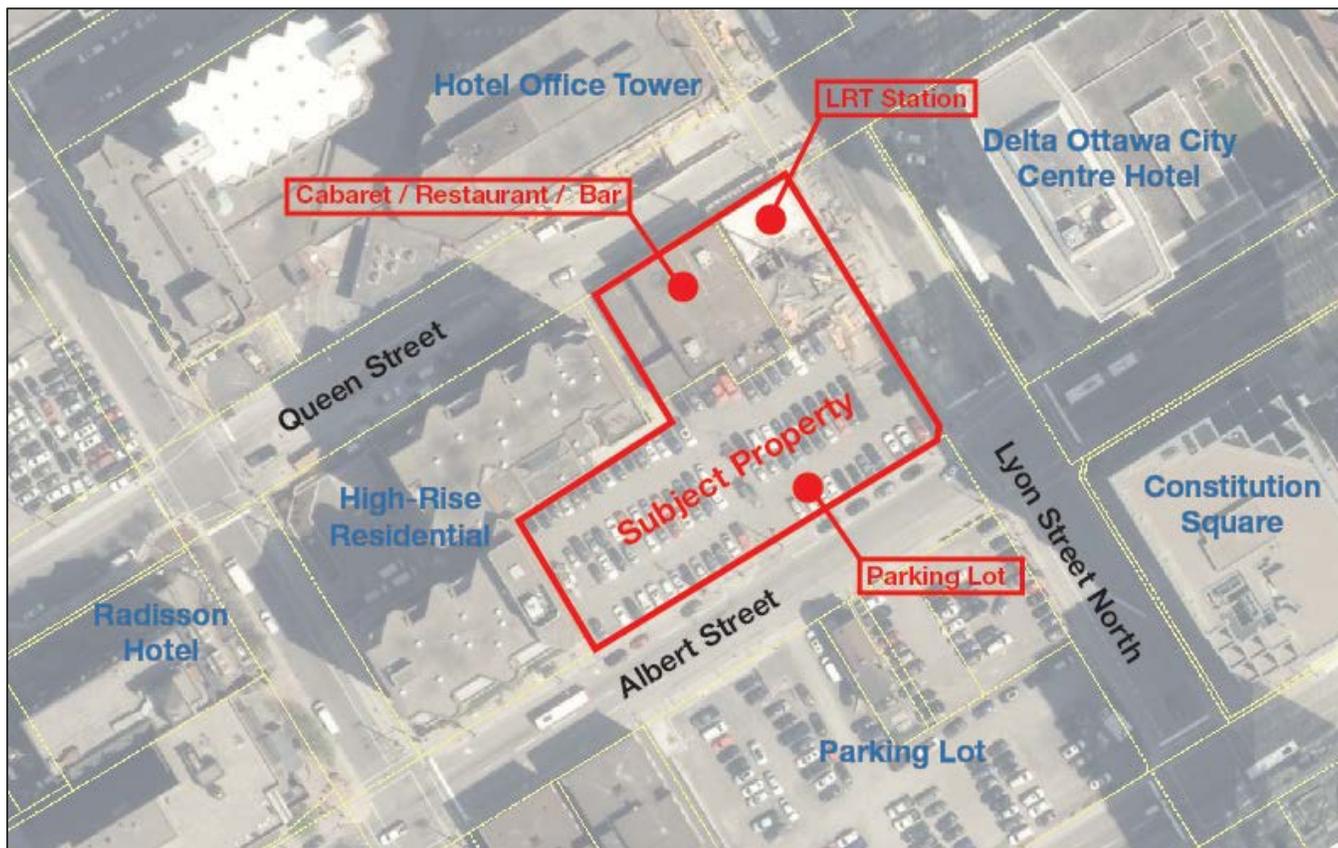


Figure 3: Plan View of Subject Property, With Land Uses Indicated

3.0 PROPOSED DEVELOPMENT

Claridge proposes to develop the subject property with a mixed-use building featuring two high-rise towers and one mid-rise tower on a common two-storey podium. While the building design is generally based on the OMB-approved design, some modifications have been made to the tower configurations and proposed uses. Each tower features residential uses, including:

- / Tower “A” (25 storeys): Condominiums
- / Tower “B” (9 storeys): Rental Apartments
- / Tower “C” (26 storeys): Rental Apartments

In contrast to the approved design, the height of Tower B (southwest corner of the property) has been reduced from 21 storeys to nine storeys. The towers are strategically situated on the podium to interface with existing blank walls on the high-rise residential building to the west. The condominium building (Tower A) is proposed to be 25 storeys in height and will contain a total of 229 dwelling units. The rental apartment building (Tower C) is proposed to be comparable in height at 26 storeys, and is proposed to contain 160 dwelling units. The mid-rise tower at the southeast corner of the property is proposed to be nine storeys and include 177 units.

The commercial uses on the lower floors are marked by a higher level of transparency, creating a vertical visual transition above the first storey. Approximately 2,152 square metres (23,166 square feet) of floor space is proposed at ground level to accommodate a retail store. The retail store entrance is near the centre of the building, providing access from Albert Street along the south façade. Having an active, transit-supportive retail use at grade as part of the development will animate the surrounding streets and will continue the mixed-use character of surrounding streets in downtown Ottawa. The entrance to the residential rental units is proposed to be located along Albert Street, near the intersection with Lyon Street. The location of the entrance will animate the street corner and increase visibility for visitors seeking access to the hotel. Similarly, the entrance to the condominium tower is located along the north side of the building, facing Queen Street.

Landscaped rooftop terraces are provided above Towers A and B, providing outdoor amenity space for residents and visitors. The terrace supplies common amenity space in addition to private balconies, which are provided for residential units in the towers.

A four-storey underground parking garage is proposed to accommodate bicycles and motor vehicles. A total of 335 parking spaces are proposed for the entirety of the development, including resident and visitor parking. Access to the underground parking garage is gained along the west side of the development from Albert Street, via a sloping driveway to the interior of the development.

The proposal is especially responsive to the surrounding public realm, which is poised to experience higher volumes of active modes of transportation, including bus transit, cycling, and pedestrians. Active uses, generous glazing at grade, wide sidewalks, and integration with public transit facilities will contribute to a vibrant, animated, and pedestrian-friendly streetscape, continuing the pattern from other downtown streets.

The new Light-Rail Transit (LRT) station is incorporated into the development at the northeast corner of the development. For security reasons, no direct access is provided between the development and the LRT station. Multiple pedestrian access points are provided along the Lyon Street North and Queen Street frontages. Bus pads are noted in the adjacent rights-of-way to service the LRT station, providing convenient and direct access to local bus routes.

A 2-metre sidewalk is proposed along Albert Street, along with a 1.8-metre cycle track in the right-of-way. A 2.4-metre lay-by is provided within the right-of-way to allow for emergency stops for buses in the event that the LRT temporarily ceases operations. The specific design of accesses to the buildings have been discussed with City Staff, and will be finalized through the Site Plan Control process. Figures 4 to 7 illustrate 3D renderings of the proposed development.



Figure 4: Rendering of Proposed Development



Figure 5: Rendering of the Proposed Development



Figure 6: Rendering of the Proposed Development



Figure 7: Rendering of the Proposed Development

POLICY AND REGULATORY CONTEXT

4.1 Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning. Decisions affecting planning matters “shall be consistent with Provincial Policy Statements.”

The PPS promotes intensification of built-up areas to efficiently use land where existing infrastructure and public service facilities are readily available to avoid unjustified and uneconomic expansions. Planning authorities must identify appropriate locations and promote opportunities for intensification and redevelopment. In addition to meeting the fundamental objective of concentrating growth within established and serviced urban areas, the proposed development meets the following policy interests, among others:

- / Promotes efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- / Accommodates an appropriate range and mix of residential, employment, recreation, open space, and other uses to meet long-term needs;
- / Promotes cost-effective development patterns and standards to minimize land consumption and servicing costs;
- / Locates redevelopment in a settlement area, which shall be the focus of growth and development, and promotes its vitality and regeneration;
- / Promotes cost-effective development standards to minimize land consumption and servicing costs;
- / Proposes development that is appropriate for, and efficiently uses, the infrastructure and public service facilities which are planned or available, and avoids the need for their unjustified and / or uneconomical expansion;
- / Is transit-supportive, where transit is planned, exists or may be developed;
- / Is located in an appropriate location and promotes the opportunity for intensification and redevelopment as described by the municipality;
- / Directs development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- / Promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and transit where it exists or is to be developed;
- / Promotes land use patterns, density, and a mix of uses that minimize the length and number of vehicle trips and supports current and future use of transit and active transportation;
- / Proposes new development proposed on adjacent lands to existing or planned transportation facilities that is compatible with, and supportive of, the long-term purposes of the corridor and is designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities;
- / Supports long-term economic prosperity by maintaining and, where possible, enhancing the vitality and viability of downtowns and Mainstreets.

The proposed development is consistent with the 2014 Provincial Policy Statement.

4.2 City of Ottawa Official Plan (2003, as amended)

The City of Ottawa Official Plan provides a vision of Ottawa’s future growth and a policy framework to guide its physical development to the year 2031. Additionally, the Official Plan addresses matters of provincial interest as defined by the PPS, and serves as a basis for a wide range of municipal activities.

4.2.1 Designation

The subject property is designated Central Area on Schedule B (Urban Policy) of the City of Ottawa Official Plan. The designation is intended to encourage urban development that supports the Central Area’s role as the economic and cultural heart of the city and the symbolic heart of the nation. The policies of the designation refer to the Central Area Secondary Plan policies, with the goal of enhancing the physical character, identity and

unique heritage resources of the Central Area’s distinctive streets, theme streets, character areas, and heritage conservation districts.

Policy 2(f) on Section 3.6.6 specifies that the City will limit support for applications for an increase in building height to cases where the property is not subject to the height / angular plane limits in Annex 8B and 8D, where the increased building height will not mar the silhouette of the Parliament Buildings or dominate the Parliament Buildings and other national symbols; and where the site has not been the recipient of a transfer of floor space index.

Figure 5 below shows the location of the subject property on an extract from Official Plan Schedule B (Urban Policy).

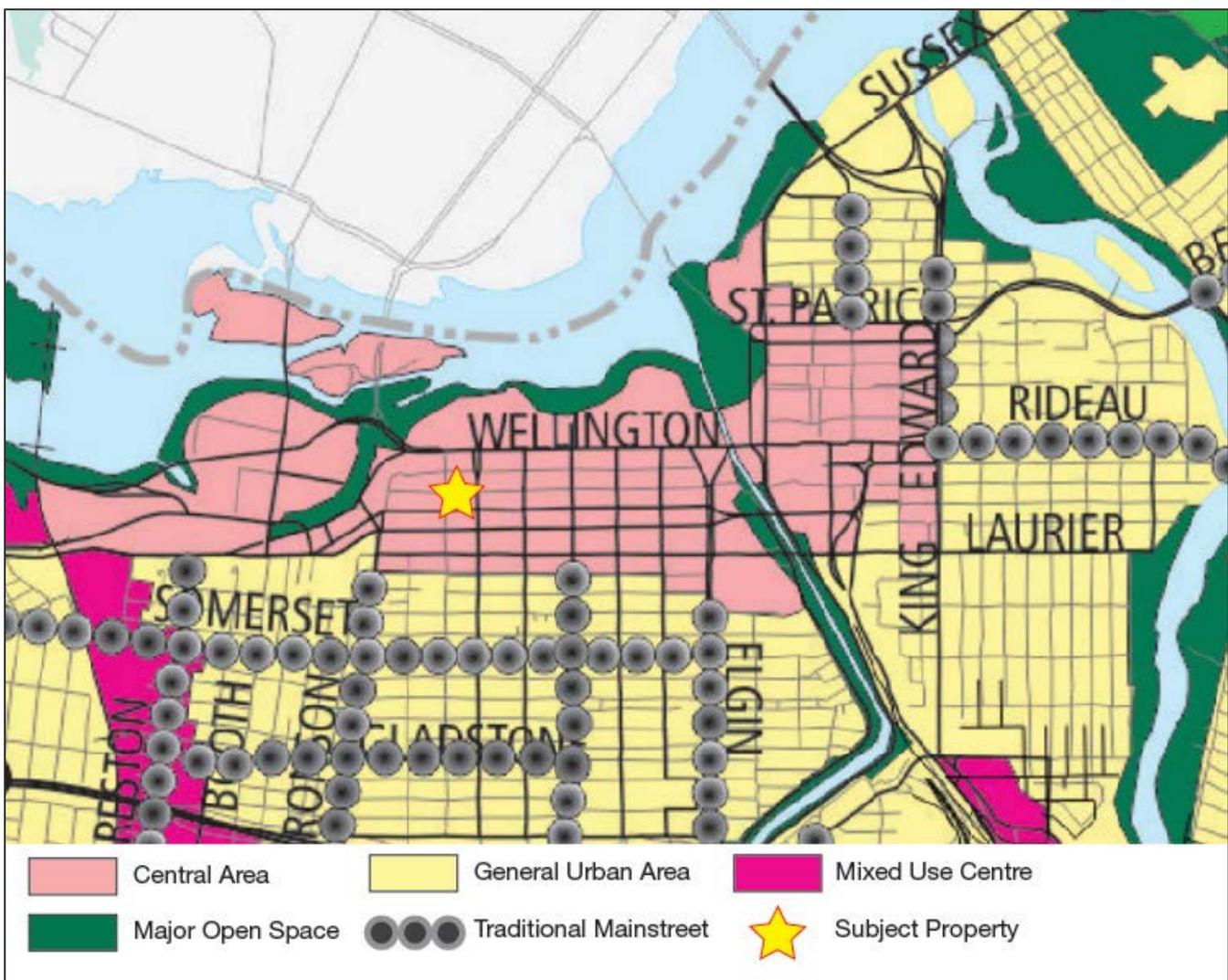


Figure 8: Extract from Official Plan Schedule B (Urban Policy)

Policy 5(b) states that the City will enhance the appearance and liveability of the Central Area and the surrounding residential neighbourhoods by ensuring that all public and private development has regard for the

compatibility criteria in Section 2.5.1, the design criteria in Policy 6 of Section 3.6.6, and that residential development:

- / Contributes to a sense of a human scale;
- / Where appropriate, results in a transition from lower-profile to higher-profile buildings, and vice versa;
- / Minimizes sun shadowing and undesirable wind conditions;
- / Provides adequate visual privacy for proposed residential units, while respecting that of existing nearby units, through such measures as unit siting or orientation, the use of setbacks, landscaping and / or screening;
- / Maximizes the exposure of residential units to direct sunlight;
- / Provides usable private outdoor space, such as balconies, as well as usable semi-private outdoor and / or indoor amenity areas, such as meeting and / or exercise rooms, small outdoor landscaped areas, and / or the use of green roof areas for passive outdoor activity;
- / Creates an identifiable entrance, and a strong transition from the public right-of-way through the use of landscape elements, changes in direction, or lighting; and
- / Provides appropriate landscape elements.

Policy 9(e) of the Official Plan establishes the following requirements related to parking:

- / The interior design of parking areas shall maximize safety and minimize potential crime or vandalism through such measures as the provision of appropriate lighting, visibility, and security features;
- / For mixed-use developments containing residential units, parking areas should be dedicated for the exclusive use of residents and separated by design or distance from other parking areas or other uses, except where parking facilities can be shared with these other uses so as to provide adequate, safe, secure and convenient parking for residential use.

The proposed development meets the policies of the Central Area designation:

- / It meets the policies of the Central Area Secondary Plan (as detailed in the following section);
- / It is located outside of the area of height / angular plane limits to protect views to the Parliament Buildings;
- / The development design pays particular attention to the at-grade public realm, creating a human-scale pedestrian experience along the three street frontages;
- / Contributes to a transition in building height in the surrounding area;
- / Proposes slender building towers to minimize shadowing impacts;
- / Includes private balconies to provide adequate privacy, allow access to direct sunlight, and provide useable outdoor space;
- / Proposes common amenity areas, including on the rooftop;
- / Features separate, identifiable entrances for each use, and appropriate treatments for the adjacent public realm; and
- / Proposes landscape elements appropriate for a central urban environment.

4.2.2 Strategic Directions

Policy 1 of Section 2.2.2 defines residential intensification as “intensification of a property, building or area that results in a net increase in residential units or accommodation and includes redevelopment.” All intensification is required to occur in accordance with the provisions of Sections 2.5.1 and 4.11.

The Central Area designation is identified as a target area for intensification. Policy 6 of Section 2.2.2 applies a minimum target density of 500 jobs and people per gross hectare for the Central Area.

Section 2.5.1 of the Official Plan contains Objectives and Principles for urban design and compatibility. In general terms, the Plan defines compatible development as development that, although it is not necessarily the same as or similar to existing buildings in the vicinity, nonetheless enhances an established community and coexists with existing development without causing undue adverse impact on surrounding properties. It “fits well” within its physical context and “works well” among those functions that surround it.

The proposed development meets the objectives in Section 2.5.1:

/ **To enhance the sense of community by creating and maintaining places with their own distinct identity.**

The proposal is designed to be consistent with the surrounding context, supporting the role and identity of the Central Area. The stylish architecture is of a quality consistent with a major metropolis, and a prime business and tourist destination.

/ **To define quality public and private spaces through development.**

Through appropriate setbacks and design, the proposed development enhances the public realm along the sidewalks of surrounding streets, which experience significant pedestrian activity. The proposed sidewalk widths creates additional space for walking, as well as landscaping and street furniture.

/ **To create places that are safe, accessible and are easy to get to, and move through.**

The configuration of the land uses and the locations of the proposed accesses are designed to respond to the multiple activities and modes of transportation functioning immediately surrounding the subject property. Attention is paid to the transit station, bus stops, and pedestrian flows around the development, and aims to ensure that the area continues to function safely.

/ **To ensure that new development respects the character of existing areas.**

The proposed uses and built form in the development are consistent with the character of the surrounding area. High-rise buildings are prominent on surrounding properties, and the mix of retail, hotel, and residential uses are appropriate for the location. The treatment of the at-grade built form is intended to continue the pedestrian-friendly character of the surrounding streets and the Central Area generally.

/ **To consider adaptability and diversity by creating places that can adapt and evolve easily over time and that are characterized by variety and choice.**

The proposal features ownership condominium units in Tower A and rental apartment units in Towers B and C, providing multiple housing tenures in response to diverse needs in the community. The hotel and retail uses would also provide modest employment opportunities for residents in the area.

/ **To understand and respect natural processes and features in development design.**

The proposal incorporates stormwater management into the building design to ensure that rainwater is captured and discharged in a responsible manner.

/ **To maximize energy-efficiency and promote sustainable design to reduce the resource consumption, energy use, and carbon footprint of the built environment.**

The proposed design incorporates the rapid transit station at the northeast corner of the property, providing convenient access to public transportation and discouraging the use of private vehicles.

The proposed development meets the policies of Section 2 of the Official Plan:

- / The development contributes to the intensification density targets in the Central Area;
- / The proposal meets the objectives established in Section 2.5.1.

4.2.3 Review of Development Applications

Section 4.11 of the Official Plan contains evaluation criteria for assessing the compatibility of development. The proposal meets the applicable criteria:

- / **Traffic:** The Transportation Brief prepared by Novatech concludes that the surrounding intersections currently meet the vehicular level of service (Auto LOS), and the proposed development is recommended from a transportation perspective.
- / **Vehicular Access:** The vehicular access in the development is strategically located to ensure separation from intersections, public transit circulation, and areas of high pedestrian activity.
- / **Parking Requirements:** Underground parking is provided for the development. As a transit-oriented development co-located with the rapid transit station, the Zoning By-law does not require parking at this location.
- / **Outdoor Amenity Areas:** Outdoor amenity areas are provided to serve the residents of the proposed development. Private outdoor amenity areas are limited on adjacent properties, and consequently risk of overlook is minimal.
- / **Loading Areas, Service Areas, and Outdoor Storage:** Loading and service areas are located internal to the development, and are not anticipated to cause undue adverse impacts on surrounding properties.
- / **Lighting:** The lighting design in the proposed development is intended to ensure safety and visibility around the building, and external effects are anticipated to be consistent with other developments in the area.
- / **Noise and Air Quality:** The proposed uses are not anticipated to generate undue adverse noise or air quality impacts.
- / **Sunlight:** As illustrated on the sunshadow study, shadows will generally be cast northward onto the Queen Street right-of-way and will generally impact only office buildings.
- / **Microclimate:** As confirmed through a Wind Analysis prepared by Gradient Wind Engineering Inc., the future wind conditions over the grade-level pedestrian wind-sensitive areas within and surrounding the study site will be suitable for their intended pedestrian uses on a seasonal basis without the need for mitigation.
- / **Supporting Neighbourhood Services:** The subject property is located in the central core of the city, with convenient access to a full range of neighbourhood services.

Policy 8 of Section 4.11 permits high-rise buildings, defined as buildings with 10 storeys or more, in the Central Area, provided all other policies of the Plan are met.

Policy 11 states that the City will consider proposals submitted for high-rise buildings in light of the following measures:

- / How the scale, massing and height of the proposed development relates to adjoining buildings and the existing and planned context for the surrounding area in which it is located;
- / How the proposal enhances existing or creates new views, vistas and landmarks;
- / The effect on the skyline on the design of the top of the building;
- / The quality of architecture and urban design, particularly as expressed in Council-approved design guidelines; and
- / How the proposal enhances the public realm, including contribution to and interaction with its surroundings at street level (e.g. the provision of publicly accessible landscaped area, amenity space and pedestrian respite areas, street trees, public art, active land use frontages, legible entrances and views to the street, canopies, awnings and colonnades for continuous weather protection).

Policy 12 states that transitions from tall buildings should be accomplished by a variety of means, including measures such as:

- / Incremental changes in building height (e.g. angular planes or stepping building profile up or down);
- / Massing (e.g. inserting ground-oriented housing adjacent to the street as part of a high profile development or incorporating podiums along a Mainstreet);
- / Character (e.g. scale and rhythm, exterior treatment, use of colour and complementary building finishes);
- / Architectural design (e.g. the use of angular planes, cornice lines); and
- / Building setbacks.

The policy notes that the use of transitions may vary according to such factors as the size of the development area, the planned intensity of use in the immediate area, the size of the lower-profile area, the street widths and the analysis of impacts on adjacent areas.

Figure 6 below shows the location of the subject property on an extract from Official Plan Schedule D (Rapid Transit). Figure 7 shows the location of the subject property on an extract from Official Plan Schedule F (Central Area / Inner City Road Network).

The proposed development meets the policies of Section 4.11 of the Official Plan:

- / The proposal meets the evaluation criteria for compatibility in Policy 2 of Section 4.11;
- / The applications propose a mix of uses (residential, retail, and hotel);
- / The development is designed to tailor building height and massing in relation to adjoining and surrounding development;
- / Contributes to the downtown Ottawa skyline and architectural character without impeding protected views to Parliament Hill;
- / Enhances the public realm by designing for a functional and enjoyable pedestrian experience at grade;
- / Contributes to a building height transition between surrounding development;
- / Incorporates a podium-tower format to break up massing and provide visual relief; and
- / Includes appropriate setbacks to mitigate impacts appropriately, while siting the building components in a manner consistent with built form in an urban core.

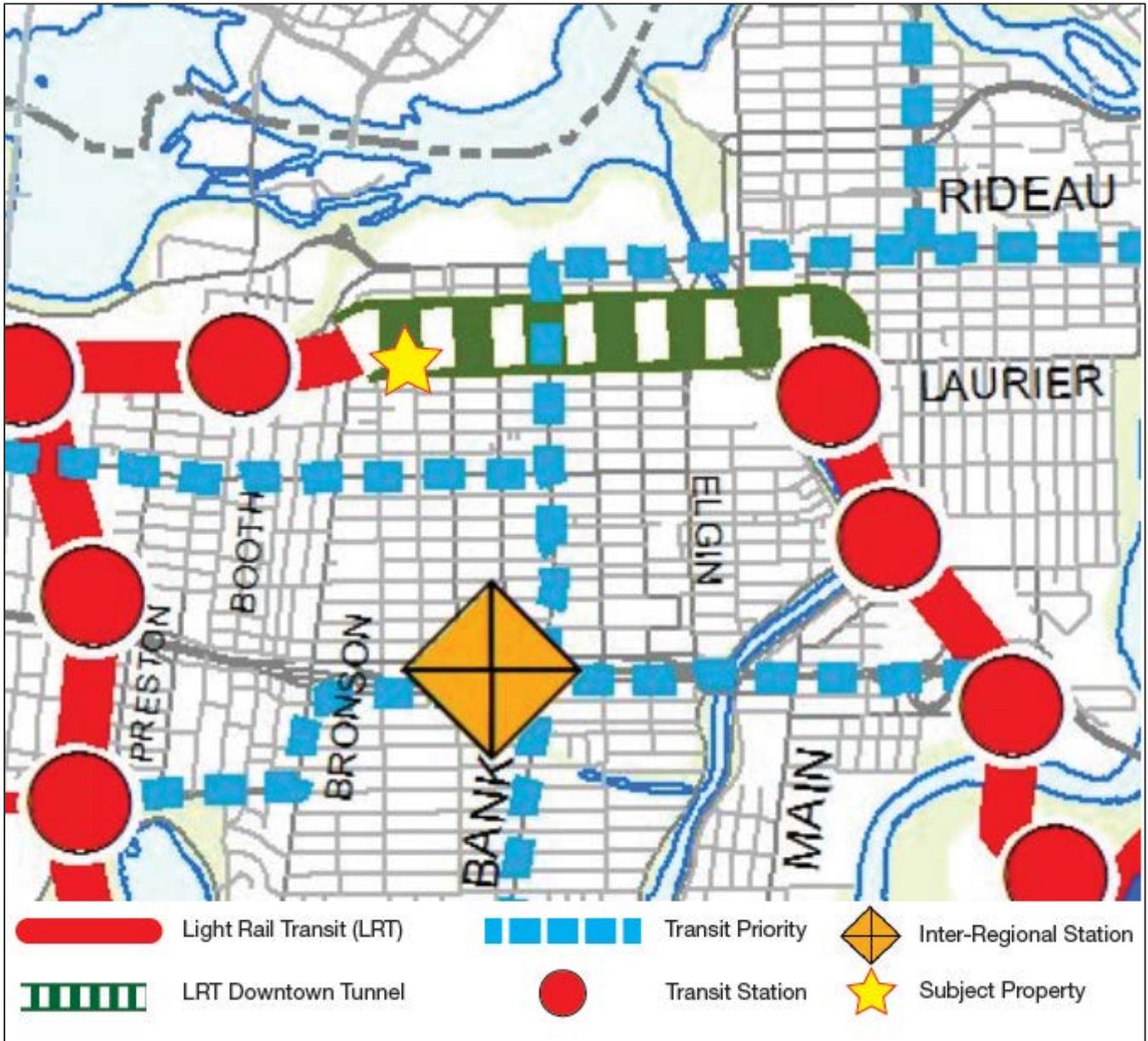


Figure 9: Extract from Official Plan Schedule D (Rapid Transit Network)

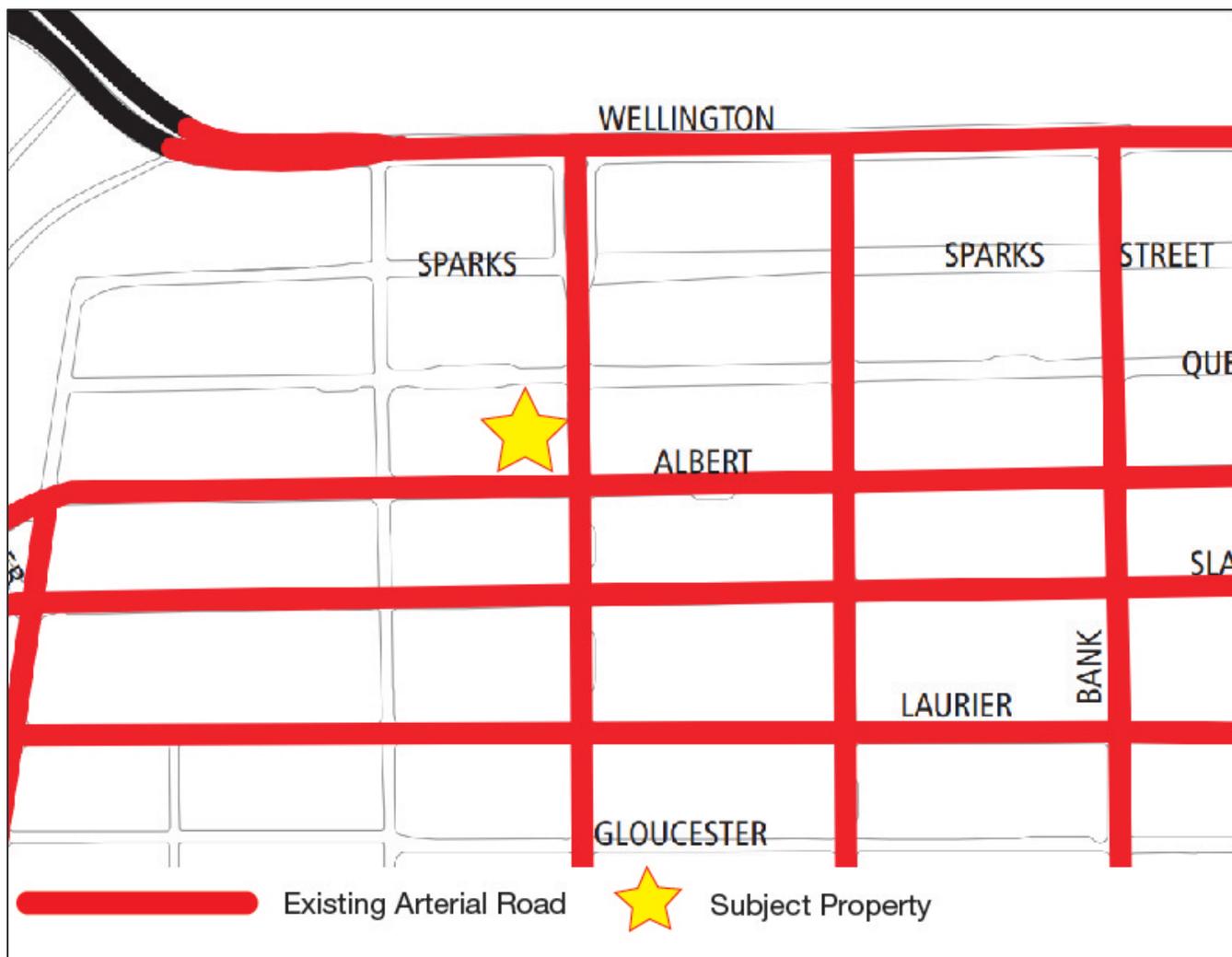


Figure 10: Extract from Official Plan Schedule F (Central Area / Inner City Road Network)

The proposed Zoning By-law Amendment and Site Plan Control applications conform with the policies of the Official Plan. The proposed development is consistent with the character of its surroundings and is designed to be functional, safe, and attractive. Special attention is paid to the public realm along the surrounding streets, particularly pedestrian circulation.

4.3 Official Plan Amendment (OPA) 150

In 2013, the City of Ottawa reviewed its Official Plan, resulting in numerous changes to its land use policies. The Ministry of Municipal Affairs and Housing issued approval of OPA 150 in April 2014, but the Amendment is currently under appeal before the Ontario Municipal Board (OMB), now the Local Planning Appeals Tribunal (LPAT). Until the LPAT renders its decision, many of the current policies of the City of Ottawa Official Plan (2003, as amended) remain in full force and effect.

The subject site retains its Central Area designation in OPA 150. The Central Area policies remain substantially identical to previous iterations, and high-rise buildings continue to be permitted in the designation.

Intensification policies in Section 2.2.2 of the Official Plan have been amended to include direction for the location of taller buildings, specifically around rapid transit stations. The previous target density of 450 jobs or people per gross hectare is replaced with a minimum density requirement of 500 jobs and people per gross hectare.

New Policy 10 of Section 2.2.2 states that the tallest building heights are to be generally located closest to rapid transit stations or corridors. The distribution of appropriate building heights will also be determined by design and compatibility of the development with the surrounding existing context and planned function, with buildings clustered with other buildings of similar height. Policy 14 adds that the location of high-rise buildings is influenced by the need to provide an adequate separation distance from other existing and potential future high-rise buildings.

Policies under Section 4.11 have also been revised and organized into seven categories, including:

Table 1: Evaluation of Proposed Development Using Revised Compatibility Criteria in Section 4.11 of OPA 150

| Compatibility Criterion | Conformity |
|----------------------------|---|
| Views | <ul style="list-style-type: none"> / The unique architecture and form of the building will have no impact on protected views. / The proposal will enhance the skyline by removing a surface parking lot and introducing articulated buildings with stylish architecture and building heights that contribute to a transition down from the existing high-rise buildings to the east. |
| Building Design | <ul style="list-style-type: none"> / The proposal incorporates setbacks approved by the Ontario Municipal Board, which are appropriate for an urban context. / The proposed building heights are intended to achieve a transition down from the high-rise buildings to the east. / Each façade and roofline is articulated for architectural variety and visual interest. / Building materials are selected to be modern and stylish, while remaining consistent with current styles in the surrounding area. / Pedestrian and vehicular entrances are located to ensure safety and convenience, and connect to multiple side streets, as appropriate. / Windows are included on all street-fronting façades. / Loading, service, and mechanical areas are strategically located to be screened from view and / or located internal to the building. |
| Massing and Scale | <ul style="list-style-type: none"> / The proposed building height, massing, and scale is designed with sensitivity to the surrounding development, as well as forming a building height transition with existing high-rise development to the east. / The majority of shadowing impacts will fall on public rights-of-way and non-residential uses to the north. |
| High-Rise Buildings | <ul style="list-style-type: none"> / Incorporates appropriate setbacks above the second storey, which is appropriate for the core area. / Achieves an appropriate separation distance between towers within the development. / Limits floor plate area to create slender towers. |

| | |
|------------------------------|--|
| Outdoor Amenity Areas | / Surrounding residential uses do not feature significant outdoor amenity areas, so overlook impacts will be limited and appropriate to an urban context. |
| Public Art | / No public art is proposed at this time. |
| Design Priority Areas | <ul style="list-style-type: none"> / The first storey features higher floor-to-ceiling heights to retain flexibility or opportunity for alternative ground floor uses in the future. / Locates front building façades parallel to the abutting streets. / Incorporates significant glazing at grade. / Uses architectural treatments on the lower storeys to delineate podium and tower. / Proposes a development consistent with surrounding built form. |

The proposed development is consistent with the policies of OPA 150.

4.4 Central Area Secondary Plan

The Central Area Secondary Plan is intended to provide more detailed area-based policy direction for the Central Area.

The subject property is located in the Upper Town Character Area of the Secondary Plan, which is envisioned to contribute significantly to the vitality of the Central Area as an attractive, liveable urban residential neighbourhood, focusing on a unique heritage district and enjoyable pedestrian environment. Housing is envisioned as the predominant use, while a limited number of pedestrian-oriented uses will co-exist at grade, such as retail food stores, convenience stores, restaurants or outdoor cafés which cater mainly to local residents.

Policies direct that predominantly residential uses shall be permitted within Upper Town, with limited commercial uses at grade within the area. These commercial uses shall primarily serve the needs of local residents and shall not:

- / Attract large volumes of automobile traffic;
- / Generate excessive noise and / or fumes;
- / Require large areas for on-site outdoor storage of goods or vehicles.

Building heights in new development shall be predominantly medium- and high-rise, provided that development:

- / Within the Cathedral Hill Heritage Conservation District retains the prominence of the historic limestone cliff as provided below and is sensitive to the heritage character of the district;
- / Achieves a transition from the historic limestone cliff and the Cathedral Hill heritage conservation district to the predominantly medium and high-rise forms in the remainder of Upper Town;
- / Regardless of height, contributes to a sense of human scale;
- / Where appropriate, creates an effective transition between lower and higher profile forms; and
- / Creates a transition to the existing residential neighbourhoods to the south.

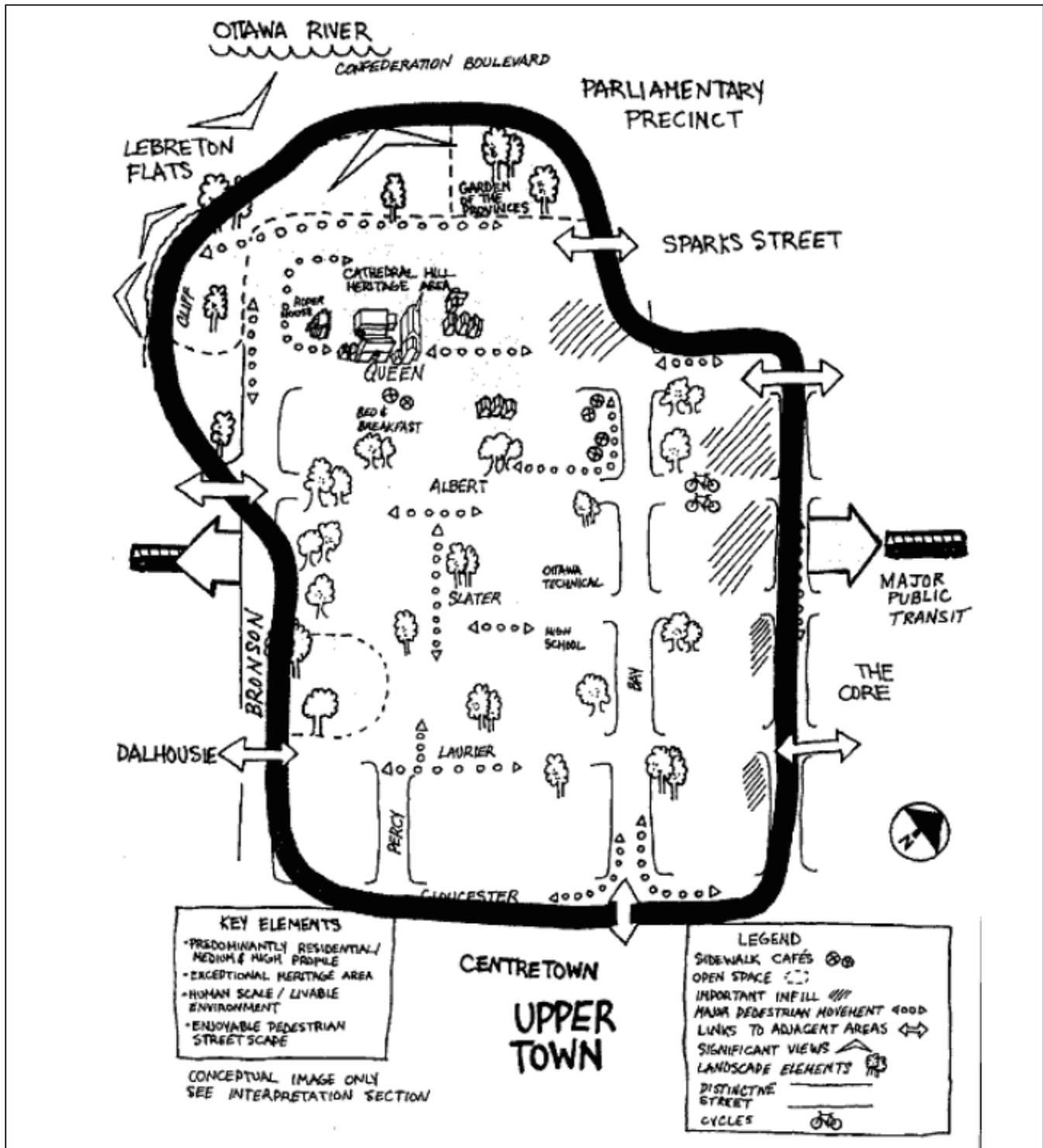


Figure 11: Upper Town Character Area

Proposals for residential development within the area shall ensure and improve the livability of Upper Town and shall be evaluated against design criteria in the Official Plan, as well as:

- / Treatment of the lower floors of high- to medium-rise buildings to create visual interest;
- / Setting back the upper storeys of high- to medium-rise buildings, including the use of podiums, to create a human scale and minimize overpowering and overshadowing effects;
- / Where appropriate, providing a transition from low-rise to high-rise buildings, and vice-versa;
- / The creation of an identifiable entrance and a strong transition from the public right-of-way;
- / Minimizing sun shadowing and undesirable wind conditions at-grade;
- / The provision of usable private and common outdoor landscaped amenity areas;
- / The provision of adequate privacy and sunlight for residential units; and
- / The provision of a tree planting corridor / area.

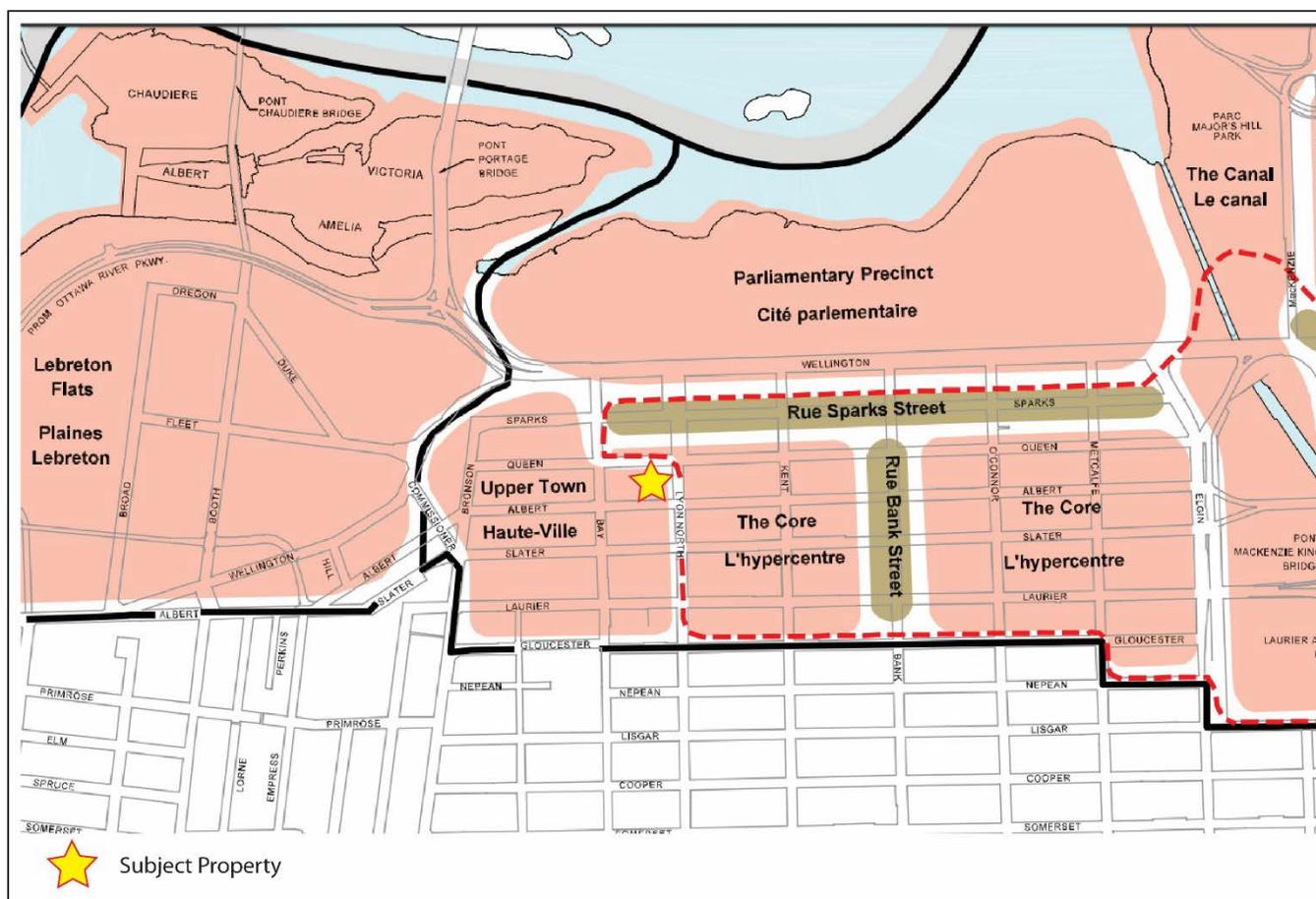


Figure 12: Extract from Schedule B of Central Area Secondary Plan

The pedestrian and open space environment in Upper Town shall be improved and enhanced through such measures as:

- / The designation and enhancement of pedestrian corridors, and in particular, the provision of an identifiable, enjoyable pedestrian network within the area which provides abundant landscape elements and links with local and nearby open spaces, Theme Streets and Character Areas, in particular the

Cathedral Hill Heritage Conservation District, Sparks Street, the Core, LeBreton Flats, the Parliamentary Precinct and the Ottawa River, and Centretown.

- / Promotion of the protection of existing open space areas such as the Garden of the Provinces and Territories;
- / The provision of streetscape and pedestrian / cyclist crossing improvements at key intersections, as well as street tree planting.

The proposed development is consistent with the Central Area Secondary Plan:

- / The proposal consists of predominantly residential uses, with complementary transit- and pedestrian-supportive commercial uses on the lower storeys;
- / Contributes to a transition in building heights within its built form context;
- / Proposes a podium-tower design to reduce shadowing impacts;
- / Proposes human-scale development at grade and contributes to a vibrant and pleasant pedestrian realm;
- / Features attractive architectural features to differentiate the lower floors from the upper floors;
- / Proposes identifiable entrances along the three building frontages;
- / Proposes private and common amenity spaces; and
- / Provides common outdoor landscaping.

4.5 Downtown Moves

In 2013, the City of Ottawa published *Downtown Moves: Transforming Ottawa's Streets*, a transportation and urban design study in anticipation of the forthcoming Confederation Line Light Rail Transit (LRT) system. The study identifies ways to create more vibrant, inclusive, safe and accessible streets for residents, workers and visitors of all ages and abilities across Ottawa's Central Business District (CBD). *Downtown Moves* guides the renewal of downtown streets, promoting active transportation, improved urban design conditions and creating an inclusive environment for people of all ages and ability levels. Although primarily relevant to City capital projects, the study includes design considerations for the proposed development on the subject properties.

All three of the surrounding streets are classified as "Business Streets" on Figure 2-2 (Plan of Streets). These streets are intended to provide access to the most intensive land uses in downtown Ottawa, and will also provide for high volumes of all modes of transportation. Buildings along these streets are to be oriented to the surrounding streets as much as possible.

The proposed development also meets a variety of applicable guidelines in the document:

- / Ground floor uses and façades create a permeable, transparent, and active frontage;
- / Tall buildings maintain pedestrian scale;
- / Articulates building façades in a way that creates an interesting wall to the street;
- / Ensures that ground floor uses of a building are active and front onto the street;
- / Ensures new buildings create a mix and variety of high-quality architecture;
- / Uses a corner site to frame the intersection; and
- / Makes ground level floor heights a minimum of 4.5 metres for new commercial and residential buildings to allow flexibility for a diversity of future uses.

Albert Street is identified for revitalization in the "Vital Moves" section of the document. Specifically, streetscape improvements and beautification, along with transportation infrastructure to account for improved movement along the corridor, are proposed in the document. The proposal meets the following guidelines identified for the street:

- / Active ground floor uses;

- / Buildings that frame corners;
- / Articulated building façades; and
- / Tall buildings feature a podium.

The proposed development is consistent with the directions in Downtown Moves.

4.6 Urban Design Guidelines for High-Rise Buildings

The City of Ottawa approved a new set of Urban Design Guidelines for High-Rise Housing on May 23, 2018. The intent of the guidelines is to update and replace the existing Guidelines approved by Council in 2009. A set of associated zoning provisions were also prepared, but are contingent on the approval of Official Plan Amendment (OPA) 150 at the Ontario Municipal Board, currently under appeal.

The Guidelines document is divided into three sections, including Context, Built Form, and Pedestrian Realm. The proposed development meets the following applicable design guidelines:

- / Does not impact views to the Parliament Buildings;
- / As a background building, respects and enhances the existing and planned views and vistas through the placement of the building, height transitions, setbacks and step backs, and landscaping;
- / Respects and enhances the overall character of the existing and planned urban fabric and the skyline;
- / Relates the height of the proposed building to the existing context and provides variations;
- / Introduces a building podium in an area that is generally devoid of point towers;
- / Features lot frontage on three sides, interfacing with the public realm on each side;
- / High-rise development proposed on a lot of sufficient size to accommodate the use;
- / The base of the building enhances and creates the overall pedestrian experience in the immediate surrounding public spaces;
- / Includes unique and differentiated building tops to add visual interest;
- / Places the base of the building to form continuous building edges along streets, and aligns the façades of the base with the adjacent building façades;
- / Provides vertical articulation through building materials to break up façades;
- / Proposes transparent and fenestrated façades at grade to increase animation on the street;
- / Staggers towers to reduce overlook between towers;
- / Uses architectural articulation to delineate the base of the building from the towers;
- / Orients the towers to improve daylighting;
- / Provides a generous distance between curbs and building faces on surrounding streets, including hard surfaces to facilitate pedestrian movement;
- / Applies colour and texture on the façades that are consistent with and complement the surrounding context;
- / Locates main pedestrian entrances at the street with seamless connections to the sidewalk;
- / Animates the streets by introducing new commercial and retail uses at grade;
- / Provides greater floor-to-ceiling heights at the ground floor to allow for flexibility in use over time;
- / Locates parking underground; and
- / Internalizes and integrates servicing, loading, and other required utilities from public view.

4.7 Transit-Oriented Development Guidelines

The Transit-Oriented Development Guidelines were approved by City Council on September 26, 2007. The Guidelines are intend to provide guidance to assess, promote and achieve appropriate Transit-Oriented Development in Ottawa.

The proposed development meets the following applicable design guidelines:

- / Provides transit-supportive land uses within walking distance of a rapid transit station;
- / Creates a multi-purpose destination through providing a mix of different land uses;
- / Locates buildings close to each other and along the front of the street to encourage ease of walking between buildings and to public transit;
- / Locates the highest density and mixed uses immediately adjacent and as close as possible to the transit station;
- / Sets buildings back from the front and side property lines to define the street edge and provide space for pedestrian activities and landscaping;
- / Provides architectural variety on the lower storeys of buildings to provide visual interest to pedestrians;
- / Uses clear windows and doors to make the pedestrian level façade of walls facing the street highly transparent to provide ease of entrance, visual interest, and increased security;
- / Designs ground floors to be appealing to pedestrians, with such uses as retail, personal service, restaurants, outdoor cafés, and residences;
- / Proposes an underground parking lot; and
- / Locates loading areas off the street, internal to the building.

4.8 City of Ottawa Comprehensive Zoning By-law 2008-250

The two component subject properties are zoned in City of Ottawa Comprehensive Zoning By-law 2008-250 as follows:

- / **383 Albert Street:** Residential Fifth Density Subzone Q, Exception 240, Maximum Building Height of 64 metres, and Schedule 93 (R5Q [240] H(64) S93)
- / **340 Queen Street:** Residential Fifth Density Subzone P, Maximum Building Height of 64 metres (R5P H(64)).

The purpose of the R5 Zone is to:

- / Allow a wide mix of residential building forms ranging from detached to mid-high rise apartment dwellings in areas designated as General Urban Area, Mixed Use Centre or Central Area in the Official Plan;
- / Allow a number of other residential uses to provide additional housing choices within the fifth density residential areas;
- / Permit ancillary uses to the principal residential use to allow residents to work at home and to accommodate convenience retail and service uses of limited size;
- / Ensure that residential uses predominate in selected areas of the Central Area, while allowing limited commercial uses;
- / Regulate development in a manner that is compatible with existing land use patterns so that the mixed building form and residential character of the neighbourhood is maintained or enhanced; and
- / Permit different development standards identified in the Z subzone, primarily for areas designated as Developing Communities, which promote efficient land use and compact form while showcasing newer design approaches.

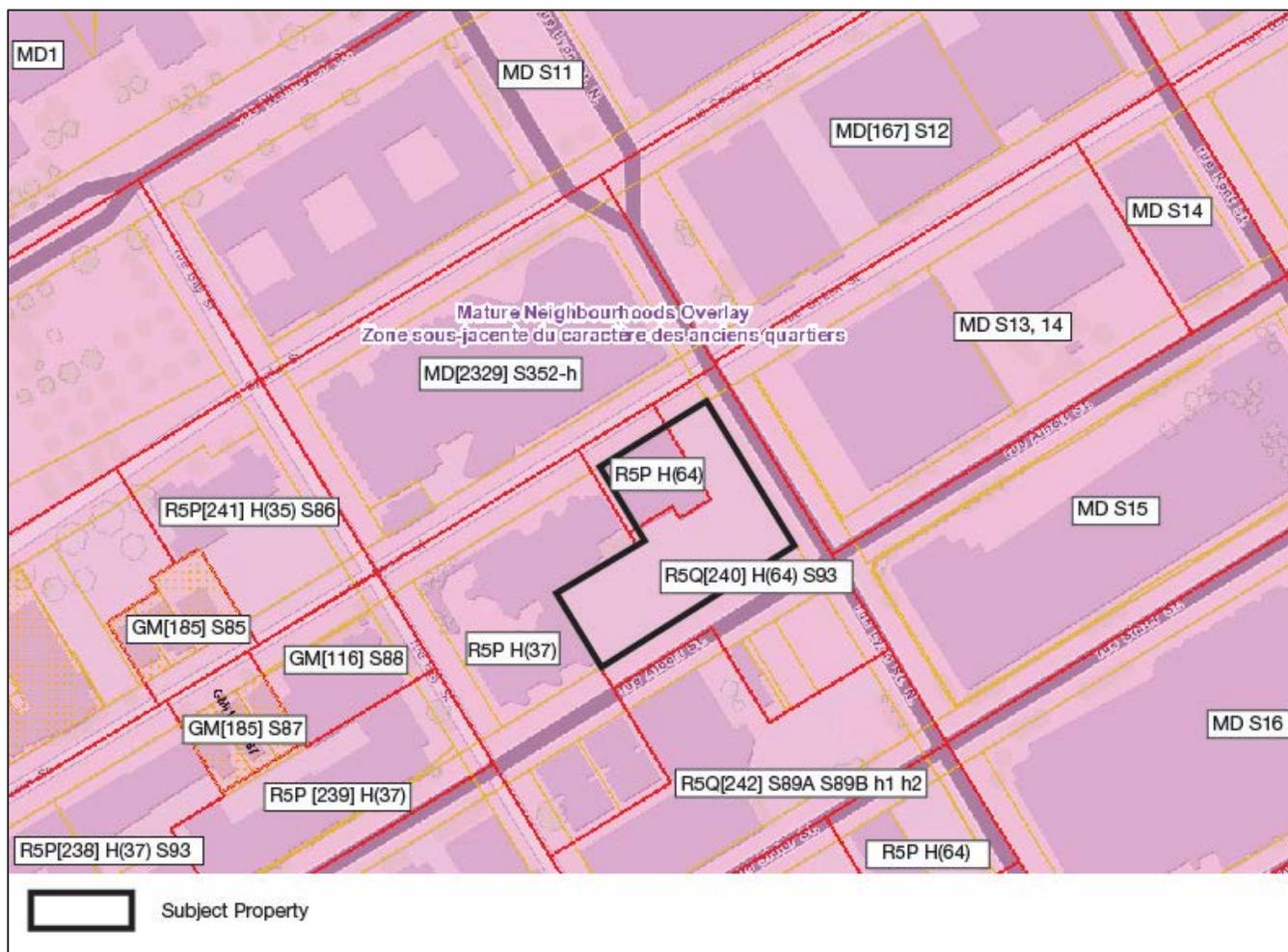


Figure 13: Zoning Map

High-rise apartment dwellings are permitted in the R5 Zone. Additional conditional uses are permitted in the respective subzones, as established in the Endnotes of the zone:

R5Q:

Endnote 33: Additional permitted uses include community centre, community health and resource centre and day care, provided they are located in a building containing dwelling units.

Endnote 35: Additional permitted uses include bank limited to 30 m² of cumulative gross floor area on any lot, bank machine, convenience store, payday loan establishment, personal service business, restaurant but not including an outdoor commercial patio, retail food store, and retail store uses provided that:

- / They are located in a building containing dwelling units;
- / They are located on the ground floor or basement;
- / They do not occupy more than 25% of the floor area of the ground floor or the basement, as the case may be;
- / They do not occupy more than 25% of the building wall that faces a street; and

- / At least two occupancies have separate and exclusive access to the street.

R5P:

Endnote 32: Additional permitted uses include bank limited to 30 m² of cumulative gross floor area on any lot, bank machine, convenience store, payday loan establishment, personal service business, restaurant, but not including an outdoor commercial patio, retail food store, and retail store uses provided that:

- / They are located in a building containing dwelling units;
- / They are located on the ground floor or basement;
- / They do not occupy more than 50% of the building wall that faces a street; and
- / At least two occupancies have separate and exclusive access to the street.

Endnote 33: Additional permitted uses include community centre, community health and resource centre and day care, provided they are located in a building containing dwelling units.

Exception 240 of the Zoning By-law contains provisions related to commercial uses at grade. In the case of the proposed development, these provisions were superseded by the OMB approval with respect to commercial uses in the development.

Notwithstanding the zoning standards in the applicable zones, the previous OMB Decision approved Minor Variances that remain in effect on the properties:

- / To permit a **height of 81.0 metres for Towers “A” and “B,”** whereas the By-law permits a maximum building height of 64.0 metres.
- / To permit a reduced **front yard setback of 2.5 metres along Queen Street,** whereas the By-law requires a minimum front yard setback of 3.0 metres.
- / To permit a reduced **corner setback of 2.41 metres on Lyon Street,** whereas the By-law requires a minimum corner setback of 3 metres.
- / To permit a reduced setback of **1.25 metres along Albert Street** for the first two storeys, whereas the By-law requires a minimum setback of 1.5 metres.
- / To permit a **reduced northerly side yard setback of 1.5 metres for Tower “C” at the first storey** only. The By-law requires a minimum side yard setback of 7.5 metres (1.5 metres for the first 21 metres back from a street lot line, plus 7.5 metres for the remainder).
- / To permit a reduced **northerly setback of 1.5 metres** (for Towers “B” and “C,” first storey only). The By-law requires a minimum setback there of 7.5 metres (1.5 metres for the first 21 metres back from a street lot line, plus 7.5 metres for the remainder).
- / To permit a reduced **westerly interior side yard setback of 3.075 metres** (for a portion of Tower “A”) only), whereas the By-law requires a minimum side yard setback of 7.5 metres (1.5 metres for the first 21 metres back from a street lot line, plus 7.5 metres for the remainder).
- / To permit an increase in **ground floor space and building wall occupied by commercial uses, to 100% of the total ground floor area** (2,157.5 square metres for 383 Albert Street and 494.3 square metres for 340 Queen Street), whereas the By-law says commercial uses cannot occupy more than 25%

(551.53 square metres) of ground floor area at 383 Albert Street and 50% (287.15 square metres) of ground floor area at 340 Queen Street, and of more than 25% of the building wall that faces a street.

- / To permit a **reduced landscape area of 8.9% of the total lot area** (approximately 353 square metres), whereas the By-law requires a minimum of 30% of the total lot area (1,183 square metres).
- / To permit a **reduced communal amenity area of 33% of the required amenity area** (1,488 square metres), whereas the By-law requires 50% of the required amenity area (1,842 square metres).

Given the approved variances cited above, the table below evaluates the proposal against the applicable zoning provisions:

| Mechanism | Required | Proposed | Evaluation |
|---|--|--|------------|
| Minimum Lot Area | 540 m ² | 3,941.9 m ² | ✓ |
| Minimum Lot Width | 18 m | 48.2 m | ✓ |
| Maximum Building Height | Towers A and B: 81 m Tower C: 64 m | Towers A and C: 81 m Tower B: 35.37 m | ✗ |
| Minimum Front Yard Setback (Queen Street) | 2.5 m | 2.68 m | ✓ |
| Minimum Corner Side Yard Setback (Lyon Street) | 2.41 m | 2.47 m | ✓ |
| Minimum Interior Side Yard Setback | Along west property line, adjacent to Tower C: 1.5 m Along north property line, adjacent to Tower B / C: 1.5 m (podium only); 7.5 m for remainder Along west property line, adjacent to Tower A: 3.075 m | Along west property line, adjacent to Tower C: 1.525 m Along north property line, adjacent to Tower B / C: 1.514 m (podium only); 9.765 for remainder Along west property line, adjacent to Tower A: 3.106 m | ✓ |
| Minimum Southern Yard Setback (Albert Street) | 1.25 m | 1.257 m | ✓ |
| Minimum Landscaped Area | 8.9% of the total lot area | 14.3% | ✓ |
| Commercial Uses | Can occupy 100% of the total ground floor area | 85% of GFA | ✓ |
| Minimum Parking Space Requirement | Residential: None Retail, restaurant, personal service business: None | 335 spaces | ✓ |

| | | | |
|--|--|--|---|
| Maximum Parking Space Requirement (within 600 m of rapid transit station) | Residential: 1.5 / dwelling Retail store: 1.0 per 100 m ² of GFA | 335 spaces | ✓ |
| Minimum Visitor Parking | None | Included in 335 spaces | ✓ |
| Minimum Bicycle Parking | Residential: 0.5 / dwelling Retail: 1.0 per 250 m ² of GFA Hotel: 1.0 per 1,000 m ² of GFA | Residential: 195 interior spaces Retail: 9 exterior spaces Hotel: 16 spaces | ✓ |
| Minimum Amenity Area | Total amenity area: 6 m ² per dwelling unit Communal amenity area: 33% of total amenity area Layout: Aggregated into areas up to 54 m ² , and where more than one aggregated area is provided, at least one must be a minimum of 54 m ² . | 566 units x 6 m ² = 3,396 m ² required 33% x 3,396 m ² = 1,121 m ² required 2,450 m ² of private amenity area provided 11,140 m ² of communal amenity area provided | ✓ |
| Minimum Loading Spaces | Retail, retail food store: 2 (assuming entire ground floor is one space) | 2 | ✓ |

Relief Requested

The proposed development meets the majority of the applicable performance standards, with the exception of maximum building height for the proposed towers. The maximum heights for each tower were established through the Ontario Municipal Board Decision for the previous development design. The proposed built form proposes a similar massing to the previous approval, with the massing shifted from Tower B at the southeast corner to Tower C at the western portion of the development.

Fotenn is supportive of the redesign for the site, as compared to the previous approval, for the following reasons:

- / The previous proposal featured three high-rise towers, whereas the current proposal features two towers, reducing the overall massing impact;
- / The nine-storey tower creates a greater presence along the street than the previous two-storey podium, and redistributes a portion of the residential density in a mid-rise building form;
- / In an area defined by high-rise buildings, the nine-storey tower is more appropriate for the corner than the previous two-storey podium;
- / With the shift in massing, the towers are now off-set, staggering the buildings to improve views and mitigate privacy for residents;
- / The corner treatment maintains the urban experience for pedestrians at grade, while creating visual relief at the corner and avoiding a canyon effect;

-
- / The location of Tower C provides a visual screen for the blank wall in the adjacent building; and
 - / The architectural treatment of the building is of a higher quality than the previous proposal, improving the visual character of the neighbourhood and mitigating any impacts from massing.

Additionally, the Zoning By-law Amendment application requests the addition of a hotel use to the list of permitted uses on the property. While the current plans do not illustrate the hotel use, Claridge is requesting the use as part of the application to allow the use in the future.

Fotenn is supportive of the request to permit a hotel use on the property, for the following reasons:

- / A hotel use conforms to the policies of the Central Area land use designation in the Official Plan, and contributes to the area's role as the "economic and cultural heart of the city";
- / Represents an active, transit-supportive use adjacent to a rapid transit station;
- / Functions as a supportive and complementary use for the uses in the Parliamentary Precinct and Central Business District;
- / Conforms to the intent of the policies of the Central Area Secondary Plan, including the Upper Town Character Area;
- / A hotel use is more consistent with the "residential predominance" character of Upper Town than office uses, and is compatible in terms of hours of operation; and
- / Other hotel uses already exist in the immediate vicinity, including directly across the street to the east and one block west of the subject property.

Technical studies have been prepared in support of the proposed development, submitted under separate cover, which confirm that the proposal is functional and appropriate. Specifically, the supporting studies include:

- / Site Servicing Plan
- / Assessment of Adequacy of Public Services
- / Stormwater Management Report
- / Grade Control and Drainage Plan
- / Transportation Impact Assessment
- / Transportation Noise & Vibration Feasibility Assessment
- / Pedestrian Level Wind Study
- / Phase I and Phase II Environmental Site Assessment

The above studies do not identify any major issues with the proposed development.

5.1 Peregrine Falcons

At the approximate time of submission of the original applications in 2010, a Peregrine Falcon nest was active on the rooftop of the Delta Ottawa City Centre Hotel on the east side of Lyon Street North across from the subject property. At that time, Peregrine Falcons were classified as “Endangered,” and accordingly provincial and municipal policies required the preparation of studies to ensure mitigation measures to protect the nest site from impacts and disturbance.

In 2013, the recovery of the Peregrine Falcon population prompted the provincial government to downgrade the status of the species from “Endangered” to “Special Concern.” As Special Concern, it is no longer covered under the Ontario Endangered Species Act or the provincial and City Official Plan policies for “habitat of a threatened or endangered species.” In the interim time period, the specific Peregrine Falcons nesting on the Delta Hotel rooftop have moved their habitats, and no active nests are currently located in proximity to the subject property.

In light of these developments, City of Ottawa Staff have confirmed that formal documentation regarding the Peregrine Falcon is no longer required for the Zoning By-law Amendment and Site Plan Control application submissions.

6.0 CONCLUSION

The proposed development is reasonable and appropriate for the site, and represents good planning. Specifically, the proposal:

- / Conforms with the 2014 Provincial Policy Statement (PPS);
- / Conforms with the City of Ottawa Official Plan;
- / Meets the majority of Zoning By-law performance standards, including provisions approved by the Ontario Municipal Board;
- / Contributes to the achievement of the objectives of the Downtown Moves Plan; and
- / Meets numerous Council-approved Urban Design Guidelines.

Sincerely,

A handwritten signature in black ink that reads "Jaime Posen". The signature is written in a cursive, slightly slanted style.

Jaime Posen, MCIP RPP
Senior Planner