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## 357-363 Preston Street

### Planning Rationale



Prepared for: 1503839 Ontario Inc.

Engineering excellence.

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Liveable landscapes.

**357-363 Preston Street**

**Ottawa, Ontario**

**Planning Rationale**

**in support of**

**Minor Zoning By-law Amendment &**

**Site Plan Control Applications**

Prepared For:

**1503839 Ontario Inc.**

Prepared By:

**NOVATECH**

Suite 200, 240 Michael Cowpland Drive  
Ottawa, Ontario  
K2M 1P6

December / 01 / 2022

Novatech File: 121183

Ref:

December 1, 2022

City of Ottawa  
Planning, Real Estate and Economic Development Department  
110 Laurier Avenue West, 4<sup>th</sup> Floor  
Ottawa, ON, K1P 1J1

**Attention: Jean-Charles Renaud, Planner II, Development Review, Central**

**Reference: Minor Zoning By-law Amendment and Site Plan Control Applications  
357-363 Preston Street  
Our File No.: 121183**

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The following Planning Rationale has been prepared in support of a Minor Zoning By-law Amendment application and a Site Plan Control application to facilitate the development of the property at 357-363 Preston Street (the "Subject Property").

The Subject Property is within the Downtown Core Transect and is designated Hub and Mainstreet Corridor on Schedule B1 of the City of Ottawa Official Plan (2021). The Subject Property is within the Evolving Neighbourhood Overlay of the 2021 Official Plan. The property is zoned Traditional Mainstreet, Exception 78 (TM[78]) in the City of Ottawa's Zoning By-law 2008-250.

It is proposed to construct a six-storey mixed-use building on the Subject Property. The building will include two commercial units on the ground floor and 37 apartment units. A one-level underground parking garage will provide 9 parking spaces for residents and visitors. These parking spaces will be accessible via a driveway and ramp to the rear of the building off Aberdeen Street. A terrace with common access is proposed on the roof of the building. A minor Zoning Amendment application is needed to permit a two-meter setback above the fifth storey where the Zoning Bylaw requires a two-meter setback above the fourth storey.

This Planning Rationale examines the location and context of the Subject Property, provides a description of the proposed development, details the proposed Zoning By-law Amendment, sets out the planning policy and regulatory framework of the site, and makes a recommendation on the Zoning By-law Amendment and proposed development.

Should you have any questions regarding any aspect of these applications please feel free to contact me at your earliest convenience.

Yours truly,

**NOVATECH**



Simran Soor, M.PL.  
Planner

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## **1.0 INTRODUCTION**

Novatech has prepared this Planning Rationale in support of a Minor Zoning By-law Amendment application and a Site Plan Control application for the property at 357-363 Preston Street (the “Subject Property”). The proposed development consists of a six-storey mixed-use building with two commercial units and 37 residential units.

The Subject Property is designated Hub within the Downtown Core Transect of the City of Ottawa Official Plan (2021). It is also subject to the Main Street Corridor designation within the 2021 Official Plan, as it abuts the Preston Main Street Corridor. The Evolving Neighbourhoods Overlay also applies to the Subject Property. The Subject Property is designated Corridor – Mainstreet in the Dow’s Lake Station District of the West Downtown Core Secondary Plan. The Subject Property is zoned Traditional Mainstreet, Exception 78 (TM[78]) within the City of Ottawa’s Zoning By-law 2008-250.

This Planning Rationale will demonstrate that the proposed Minor Zoning By-law Amendment and Site Plan Control applications will:

- Be consistent with the policies of the Provincial Policy Statement (2020);
- Conform to the policies of the City of Ottawa Official Plan (2021);
- Conform to the policies of the West Downtown Core Secondary Plan;
- Establish appropriate Zoning standards for the Subject Property; and
- Maintain compatibility with the surrounding uses and community.

### **1.1 Description of Subject Property**

The Subject Property is located on the east side of Preston Street in the Somerset Ward (Ward 14) in the City of Ottawa. The property has an approximate area of 841 square meters, approximately 27.9 meters of frontage onto Aberdeen Street, and approximately 29.9 meters of frontage onto Preston Street. The Subject Property is roughly bounded by Highway 417 (Queensway) to the north, Beech Street to the south, Rochester Street to the east, and the Trillium Pathway to the west.

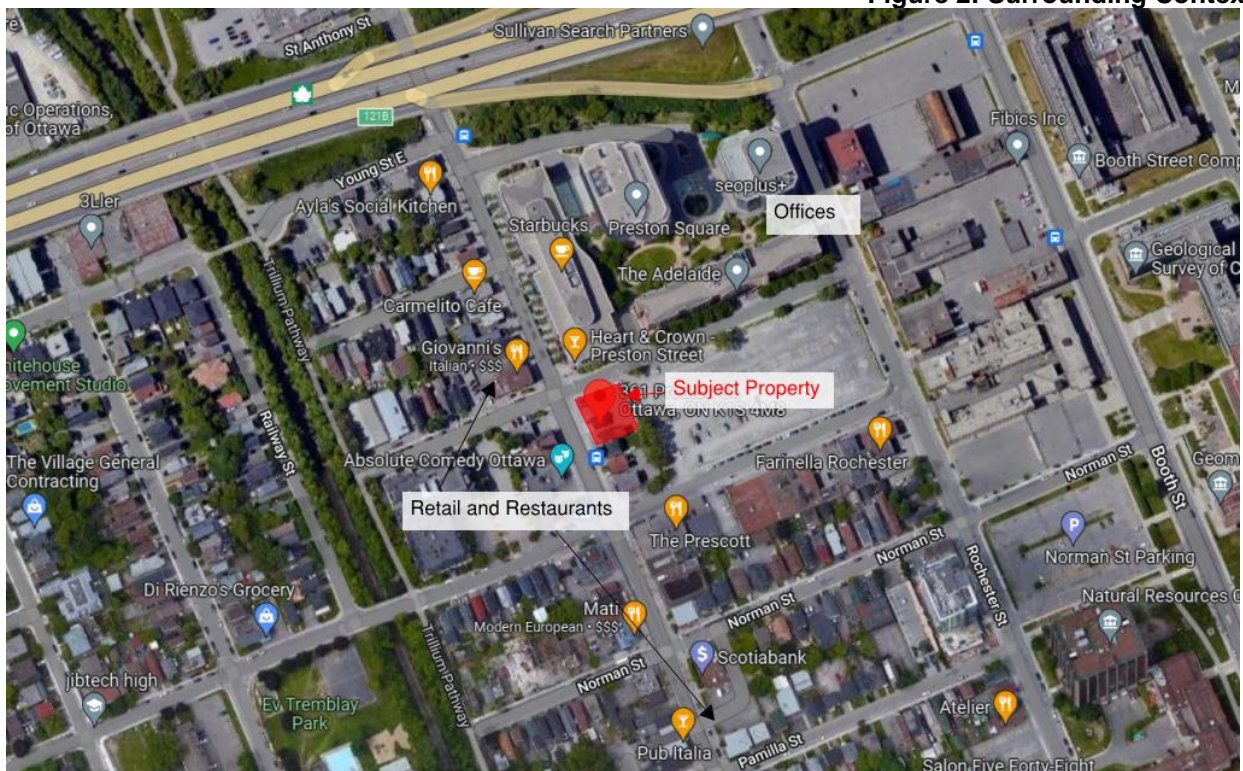


Figure 1. Aerial Photo of Subject Property



## 1.2 Site Location and Community Context

Figure 2: Surrounding Context

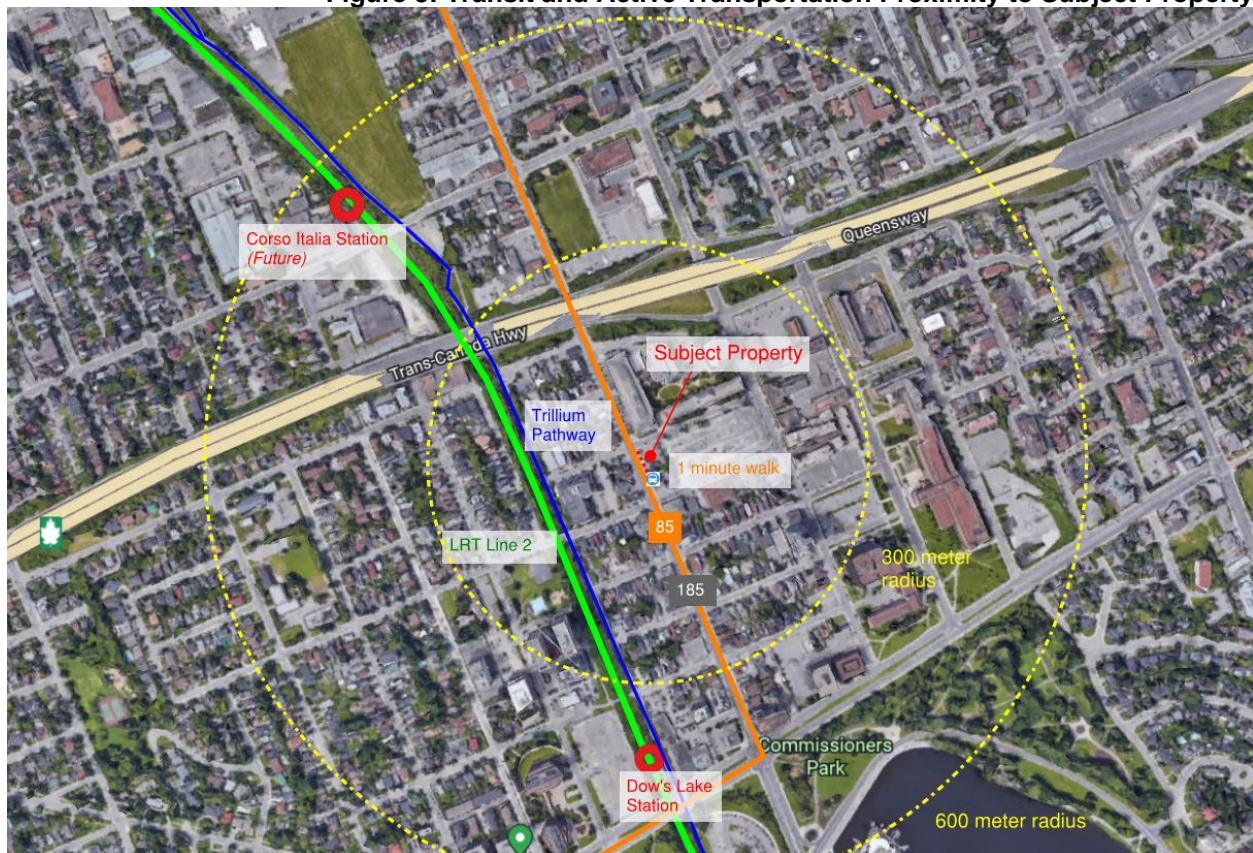




The Subject Property is primarily surrounded by mixed-use buildings and commercial and office uses. Directly to the north of the Subject Property is a four-storey building with restaurants and commercial uses on the ground floor. To the west of Preston Street are several two-storey residential and commercial buildings. Directly to the south are a few two-storey residential buildings. Further south on Preston Street, there are a number of low-rise commercial uses. To the east of the Subject Property is a surface parking lot. A high-rise building is being proposed to replace the surface parking lot.

Within 300 meters of the Subject Property, there are a number of restaurants and commercial amenities. The area also includes many residential dwellings of varying densities and there are a few office buildings to the north of the Subject Property. Within 600 meters of the Subject Site are the Dow’s Lake LRT station and the future Corso Italia LRT station (see Figure 3). Recreational amenities such as Dow’s Lake and the Trillium Pathway are also within walking distance of the Subject Property.

**Figure 3: Transit and Active Transportation Proximity to Subject Property**



There is a mix of old and new buildings in the area. Many of the older buildings have been built with brick or siding panels and there is a mix of architecture styles. The newer buildings have been built of red brick and plentiful windows and glazing. These buildings have a more modern architectural style but have drawn elements, including building materials, from the surrounding context.



Figure 4: Land uses to the north of the Subject Property



**North:** Roughly to the north of the Subject Property is a mixed-use building with restaurants at grade. Further north, there are some office buildings.

Figure 5: Land uses to the south of the Subject Property



**South:** To the south of the Subject Property are low rise residential uses. Commercial uses such as retail stores and restaurants are further down the street.



Figure 6: Land uses to the west of the Subject Property



**West:** To the west of the Subject Property are residential uses and commercial uses.

Figure 7: Land uses to the east of the Subject Property



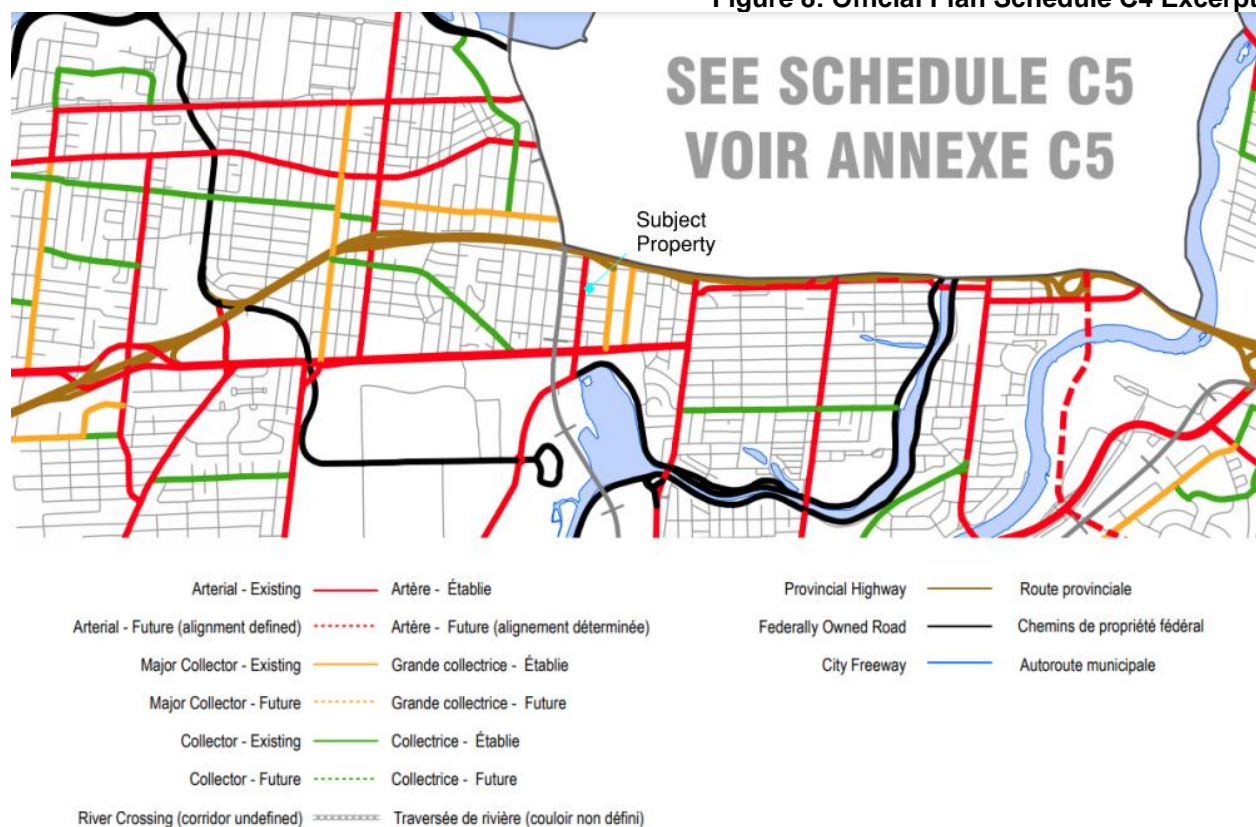
**East:** Immediately to the east of the Subject Property is a surface parking lot. There is a proposal to redevelop the parking lot into a high-rise residential use.

### 1.3 Linkages and Transportation Framework

357-363 Preston Street is a corner lot with frontage along Preston Street and Aberdeen Street. The Subject Property is on the southeast side of the intersection of Preston Street and Aberdeen Street. Preston Street is designated a Mainstreet Corridor in Schedule B1 of the 2021 Official Plan.

Preston Street is designated as an arterial road in Schedule C4 of the 2021 Official Plan (Figure 8). Carling Avenue to the south of the property is also designated as an arterial road and Booth Street to the east of the property is designated as a collector street. The Subject Property is also in proximity to Highway 417 (Queensway), which is designated as a Provincial Highway.

Figure 8: Official Plan Schedule C4 Excerpt



The Subject Property is located within 400 meters of the future Dow’s Lake LRT station (formerly Carling station) and within 600 meters of the future Corso Italia LRT station (see Figure 3). There is also a bus stop on Preston Street located 86 m (or a one-minute walk) away from the Subject Property. This bus stop is serviced by bus route 85 and 185. Bus route 85 is designated as a frequent route, offering high frequency bus service along major roads on the OC Transpo network. According to Schedule C1 of the 2021 Official Plan, future expansions of the Transitway are expected to take place along Carling Street.



Sidewalks are provided on both sides of Preston Street. The Trillium Pathway is also located approximately 350 meters (or a four minute walk) from the Subject Property (see blue line on Figure 3) and connects to other recreational and active transportation pathways near Dow’s Lake.

**2.0 DEVELOPMENT PROPOSAL**

It is proposed to develop a six-storey mixed-use building on the Subject Property. This building will have two commercial units on the ground floor and part of the second storey. 37 residential units will be provided on the five storeys above. These units will range in size from studio to 2-bedroom apartments. The commercial units will have at-grade entrances on Preston Street, while access to the residential units will be provided on Aberdeen Street. A number of the residential units will have balconies.

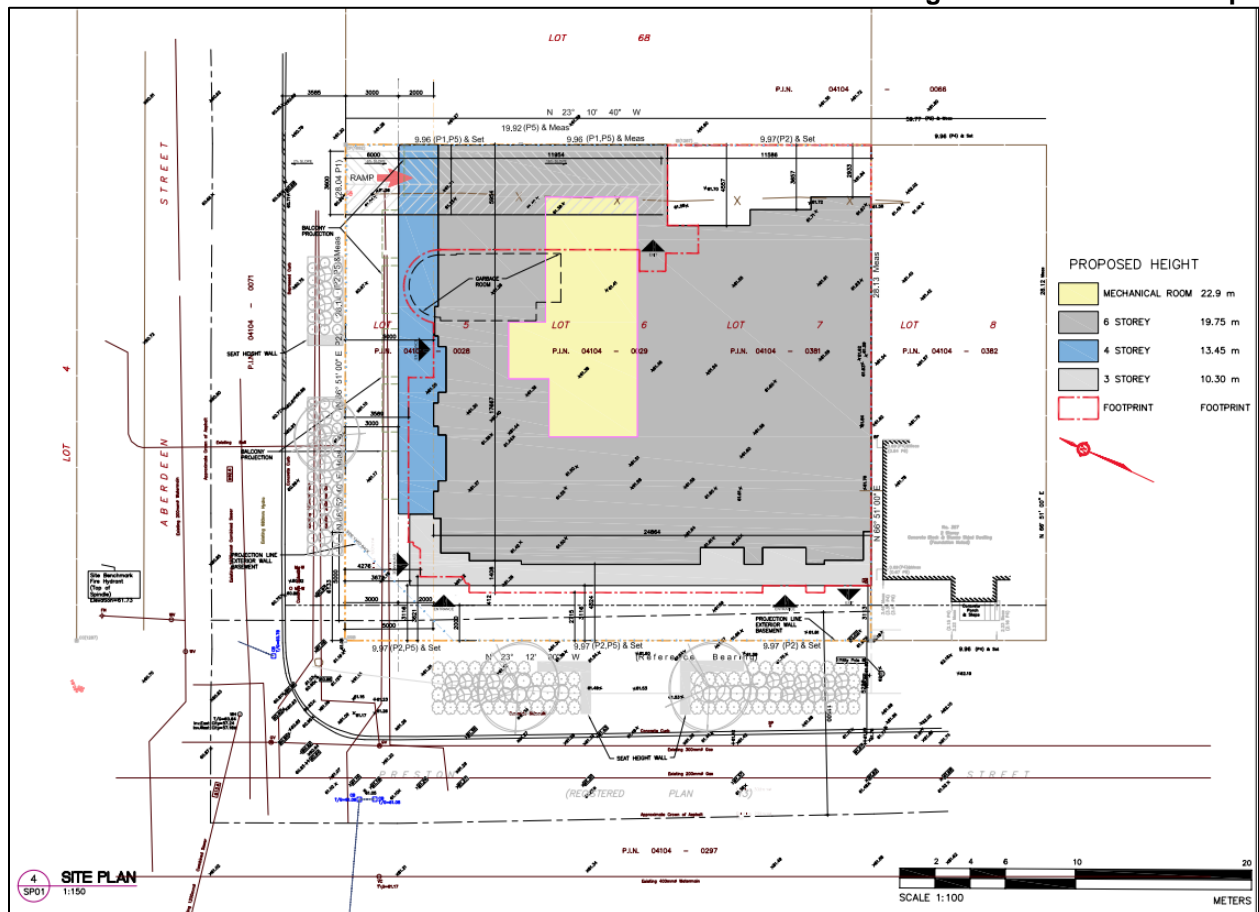
**Figure 9: The Proposed Development**





The proposed building will contain a rooftop terrace for the communal use of residents. This terrace will be accessible via an elevator and stairs to the roof. A private rooftop terrace for the penthouse suite will also be provided. The building will include 9 shared parking spaces for tenants and visitors. These spaces will be located underground and will be accessed to the rear of the building using a ramp off Aberdeen Street. 26 bike parking spaces will also be provided on the ground floor.

Figure 10: Site Plan Excerpt



On the western side of the building fronting onto Preston Street, a stepback above the third storey will be provided. This stepback will help minimize the impact of the building on the streetscape and create a human-scale environment. On the northern side of the building facing Aberdeen Street, a stepback will be provided above the fifth storey.

Figure 11: Elevation Excerpt



### 3.0 REQUESTED MINOR ZONING BY-LAW AMENDMENT

357-363 Preston Street is zoned Traditional Mainstreet, Exception 78 (TM[78]) in the City of Ottawa’s Zoning By-law 2008-250 (the Zoning By-law). Section 197 sets out the provisions for the TM zone. The proposed development will not be in conformity with all provisions of the Zoning By-law. The following site-specific zoning provisions are requested through the Zoning By-law Amendment application:

#### **Proposed Site-specific Provisions**

The following site-specific provisions are requested.

- To permit an additional two-meter corner yard setback above 18 meters, whereas Table 197 Row (e) of the Zoning By-law requires an additional two-meter setback above 15 meters.
- To permit an additional two-meter setback at or above the fifth storey, whereas Table 197 Row (g)(ii)(2) requires an additional two-meter setback at or above the fourth storey.

Table 197 Row (e) requires a minimum corner side yard setback of 3 meters, except for any part of a building above 15 meters for which an additional 2-meter setback must be provided. The proposed development provides an additional setback on the corner side yard, but this setback

is provided at the fifth storey rather than the fourth storey. This is a difference of a single storey. The change in the corner side yard setback does not negatively impact pedestrians on the street or users of the site, while providing slightly more space in the residential units.

Table 197 Row (g)(ii)(2) requires buildings greater than four storeys or 15 meters to be setback a minimum of two meters more than the provided setback from the front and corner lot lines. This additional setback is required to be at or above the fourth storey. The proposed development provides this for the portion of the building facing Preston Street. However, on the corner side yard, the additional setback of 2 meters is provided above the fifth storey rather than the fourth storey. This is a difference of a single storey and the proposed development still keeps in character with the streetscape of Aberdeen Street. The four-storey property across the street is not adversely affected by this change, while this provides more amenity space to residents on the fifth storey.

## 4.0 PLANNING POLICY AND REGULATORY FRAMEWORK

### 4.1 Provincial Policy Statement

The Provincial Policy Statement (2020) provides policy direction on land use planning and development matters of provincial interest. The PPS was issued under the authority of Section 3 of the Planning Act and came into effect on May 1, 2020. All decisions affecting planning matters “shall be consistent with” policies issued under Section 3 of the Planning Act.

Section 1.1 of the PPS provides policies to manage and direct land use to achieve efficient and resilient development. Policy 1.1.1 states:

*“1.1.1 Healthy, liveable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) promoting development and land use patterns that conserve biodiversity; and*

- i) *preparing for the regional and local impacts of a changing climate”*

The PPS defines “intensification” as:

*“the development of a property, site or area at a higher density than currently exists through:*

- a) redevelopment, including the reuse of brownfield sites;*
- b) the development of vacant and/or underutilized lots within previously developed areas;*
- c) infill development; and*
- d) the expansion or conversion of existing buildings”*

The proposed mixed-use development at 357-361-363 Preston will promote the efficient use of land through redevelopment of an underutilized site within the City’s urban area. The proposed development is also considered intensification. The mixed-use building will add 37 dwelling units to a site that currently has only two dwellings and will enhance the Preston Mainstreet through ground-floor commercial uses. The location of the development is well suited to intensification, as it is located along a Mainstreet and is within walking distance of the Dow’s Lake LRT Station. Residents of the building will have access to a number of restaurants, stores, and other amenities along Preston Street. The proposed building has direct access to and is at grade with the sidewalk. The barriers to accessibility are limited in the design of the proposed building.

Section 1.1.3 of the PPS defines and lays out policies for settlement areas. The Subject Property is considered part of a settlement area, as it is within the Urban Area for the City of Ottawa. Policy 1.1.3.1 states: “*Settlement areas shall be the focus of growth and development.*” Policy 1.1.3.2 states:

*“1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed;*  
*and*
- g) are freight-supportive.”*

The proposed development is consistent with Policy 1.1.3.1 and 1.1.3.2. The proposed building will add new residential and commercial uses along one of the City’s Mainstreets and provide housing to a growing area. The proposed development is located within walking distance of the Dow’s Lake LRT station and the site’s close proximity to stores and restaurants makes walking or cycling the best way to get around the area. The site is also located near cycling trails and Dow’s Lake Park, which allow for active transportation and recreation opportunities.



Policy 1.1.3.3 states:

*“1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.”*

The proposed mixed-use building will add to the supply and mix of housing in the area by replacing two dwelling units with 37 apartment dwelling units of different bedroom configurations. The proposed development is also transit-supportive, as it is located within walking distance of the Dow's Lake LRT station and a frequent bus route.

Policy 1.1.3.4 states:

*“1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.”*

As a larger and more intensive residential development, the proposed development is subject to the City of Ottawa's Site Plan Control process.

Section 1.3 of the PPS provides policy direction for employment areas and includes the following policy:

*“1.3.1 Planning authorities shall promote economic development and competitiveness by:*

*d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4;”*

The proposed mixed-use building is consistent with this policy by providing a mix of uses along a commercial Mainstreet. This allows residents to easily access shopping or commercial needs, as well as potential employment opportunities.

Section 1.4 of the PPS sets out policies for housing. Policy 1.4.3 states:

*“1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

*b) permitting and facilitating:*

*a. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*

*b. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*

- c) *directing the 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;*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
- e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*

The proposed development is considered intensification and is consistent with Policy 1.1.3.3. It is also located within the urban area, where adequate levels of infrastructure and public services are provided. The proposed mixed-use building will add increased residential density to the area by providing 37 additional residential units to the area. The Subject Property is also well located near transit and active transportation routes. The ground-floor commercial uses will encourage walking and cycling in the area.

Section 1.6.7 of the PPS sets out policies for Transportation Systems. Policy 1.6.7.4 states:

*“1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.”*

The proposed development satisfies this policy by providing intensification within walking distance of the Dow's Lake LRT station. The ground-floor commercial uses in the proposed development and surrounding areas provide amenities within walking distance and encourage residents to walk or cycle in order to make their daily trips.

Section 1.8 of the PPS provides policy direction related to energy conservation, air quality, and climate change. Policy 1.8.1 states:

*“1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:*  
e) *encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;”*

The proposed development meets the climate change objectives and policies of the PPS by providing intensification that is located near rapid transit. The ground-oriented commercial uses in the surrounding area and the proximity to the Dow's Lake LRT station means that residents can fulfill most of their daily needs by walking, cycling, or taking transit.

**The proposed Minor Zoning By-law Amendment and Site Plan Control applications are consistent with the policies of the Provincial Policy Statement.**

### 4.2 City of Ottawa Official Plan (2021)

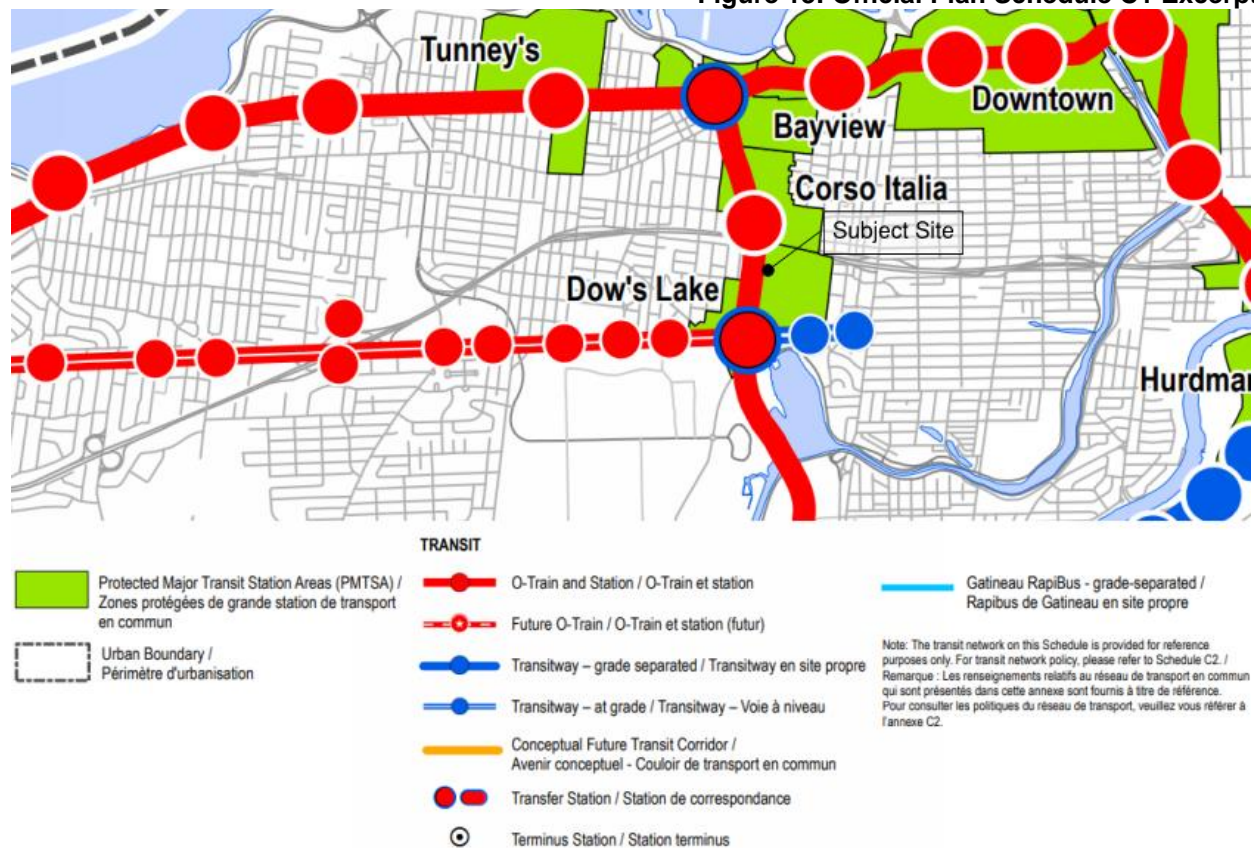
The new City of Ottawa Official Plan (the “2021 Official Plan”) was adopted by City Council on November 24<sup>th</sup>, 2021. The Official Plan was subsequently approved by the Minister of Municipal Affairs and Housing on November 4, 2022.

The Subject Property is designated “Hub” in the Downtown Core Transect on Schedule B1 of the 2021 Official Plan. The Subject Property is also subject to the Main Street Corridor designation along Preston Street and the Evolving Neighbourhoods Overlay (Figure 12). The Subject Property is also part of a Protected Major Transit Station Area (PMTSA) (Figure 13).

**Figure 12: Official Plan Designation for the Subject Property**



Figure 13: Official Plan Schedule C1 Excerpt



#### 4.2.1 Growth Management Framework

Section 3 of the 2021 Official Plan provides a Growth Management Framework for the City of Ottawa. Section 3 states:

*“Most growth will occur within the urban area of the City, with a majority of residential growth to be within the built-up area through intensification, increasing over time during the planning horizon.”*

Section 3 also states:

*“Within the Greenbelt, where most of the housing growth in the built-up area is expected to occur, new housing development will be both in the form of larger dwelling units and apartments.”*

The Subject Property is located within the urban area of the City and will accommodate residential growth within the built-up area by providing 37 new apartment dwelling units. The proposed development will help accommodate the City’s expected growth through infill rather than greenfield development.



Section 3.2 states the following:

*“Intensification will support 15-minute neighbourhoods by being directed to Hubs and Corridors, where the majority of services and amenities are located, as well as the portions of Neighbourhoods within a short walk to those Hubs and Corridors.”*

The Subject Property is designated “Hub” and Preston Street is designated “Corridor – Main Street” on Schedule B1 of the 2021 Official Plan. The proposed development is considered intensification as it replaces two dwelling units with 37 units. The ground-floor commercial uses will provide additional services and amenities to residents in the area, contributing to the City’s 15-minute neighbourhoods objectives.

Policy 3 in Section 3.2 states:

*“The vast majority of Residential intensification shall focus within 15-minute neighbourhoods, which are comprised of Hubs, Corridors and lands within the Neighbourhood designations that are adjacent to them as shown on Schedules B1 through B8. Hub and Corridor designations are intended to be diverse concentrations of employment, commercial, community and transportation services (in addition to accommodating significant residential opportunities) that are accessible to adjacent Neighbourhood designations on a daily and weekly basis.”*

The Subject Property is located within a Hub and alongside the Preston Street Mainstreet Corridor. Policy 3 directs residential intensification to areas that are within Hubs and Corridors, which includes the Subject Property. The proposed mixed-use building will contribute to 15-minute neighbourhoods by providing commercial services to residents of the area.

Policy 4 in Section 3.2 states:

*“Intensification is permitted in all designations where development is permitted taking into account whether the site has municipal water and sewer services. This Plan supports intensification and the approval of applications for intensification shall be in conformity with transect and overlay policies as applicable. When reviewing planning applications for intensification, the City shall ensure that surface water and groundwater resources are protected, particularly where the groundwater resource is used for drinking water.”*

The Subject Property has access to municipal water and sewer services.

Policy 10 in Section 3.2 states:

*“The residential density and proportion of large household dwelling targets as shown on Schedules B1 through B8 are established in Table 3a for Hubs and Mainstreet Corridors and Table 3b for Neighbourhoods and Minor Corridors. Within Neighbourhoods, provide for a diversity of housing opportunities such that generally, higher densities will be directed closer to Mainstreets, Minor Corridors, rapid transit stations, Hubs and major neighbourhood amenities with lower*

*densities further away from such features such that the overall density in Neighbourhoods meets or exceeds those in Table 3.”*

The minimum residential density applicable to the Subject Property is identified in Table 3a of Section 3.2 of the 2021 Official Plan. Table 3a specifies that for the Dow’s Lake Hub, the minimum density is 250 dwelling units per hectare. 37 dwelling units are proposed on the Subject Property, which has an area of approximately 841 m<sup>2</sup>. The density of the proposed development is approximately 440 dwelling units per net hectare, which exceeds the minimum requirement.

#### **4.2.2 Urban Design**

Section 4.6 of the 2021 Official Plan provides policy direction on urban design and outlines Design Priority Areas for the City. The Subject Property is located within Design Priority Area 2.

Policy 2 in Section 4.6.5 states:

*“Development in Hubs and along Corridors shall respond to context, transect area and overlay policies. The development should generally be located to frame the adjacent street, park or greenspace, and should provide an appropriate setback within the street context, with clearly visible main entrances from public sidewalks. Visual impacts associated with above grade utilities should be mitigated.”*

The proposed development has been designed to frame Preston Street with an appropriate building height, setback, and building materials. The active frontage on Preston Street, as well as the stepback above the third storey compliment neighbouring two- to four-storey buildings and provide a more human-scale environment for pedestrians. The use of brick on the building and the plentiful glass and windows along Preston Street draws inspiration from other buildings in the area and adds to the retail streetscape.

Policy 3 in Section 4.6.5 states:

*“Development shall minimize conflict between vehicles and pedestrians and improve the attractiveness of the public realm by internalizing all servicing, loading areas, mechanical equipment and utilities into the design of the building, and by accommodating space on the site for trees, where possible. Shared service areas, and accesses should be used to limit interruptions along sidewalks. Where underground parking is not viable, surface parking must be visually screened from the public realm.”*

The proposed development complies with this policy. The building improves the attractiveness of the public realm by replacing a former parking lot with a mixed-use building that compliments the surrounding streetscape. Conflict between vehicles and pedestrians is minimized, with vehicle-oriented amenities such as parking located in an underground parking garage. The entrance to the garage is located to the rear of the building, with access from Aberdeen Street rather than Preston Street.

Policy 7 in Section 4.6.6 states:

*“Mid-rise buildings shall be designed to respond to context, and transect area policies, and should:*

- a) Frame the street block and provide mid-block connections to break up large blocks;*
- b) Include a base with active frontages, and a middle portion that relates to the scale and character of the surrounding buildings, or, planned context;*
- c) Be generally proportionate in height to the width of the right of way as illustrated in the Figure below, with additional height permitted in the Downtown Core Transect; and*
- d) Provide sufficient setbacks and step backs to:*
  - i) Provide landscaping and adequate space for tree planting;*
  - ii) Avoid a street canyon effect; and*
  - iii) Minimize microclimate impacts on the public realm and private amenity areas.”*

The proposed development, which is on a corner lot, includes design elements that complement both Preston Street and Aberdeen Street. The setback above the third storey on the portion of the building fronting onto Preston Street is compatible with the two-storey buildings to the south and across the street. This setback helps frame the street, providing active commercial frontages and a sense of human scale. The setback above the fifth storey on the portion of the building fronting onto Aberdeen Street is compatible with the four-storey building across the street, while providing visual interest. The height and setbacks of the proposed development will provide a transition from the proposed high-rise building to the east of the Subject Property.

### **4.2.3 Downtown Core Transect**

Section 5.1 of the 2021 Official Plan lays out general policies and guidance for proposed development within the Downtown Core Transect.

Policy 2 in Section 5.1.1 states:

*“The Downtown Core shall continue to develop as healthy 15-minute neighbourhoods within a highly mixed-use environment, where:*

- a) Hubs and a dense network of Corridors provide a full range of services;*
- b) A high concentration of employment is maintained and increased;*
- c) Existing and new cultural assets are supported, including those that support music and nightlife; and*
- d) Residential densities are sufficient to support the full range of services noted in Policy a)”*

The proposed development contributes to healthy 15-minute communities by providing a mix of uses and increased residential densities that will allow residents to access a variety of services and amenities within a 15-minute walking distance. The proposed mixed-use building complements the surrounding context, where there is an abundant mix of uses that will encourage residents to walk, cycle, or take transit to their daily destinations. These uses will be well supported by the increased density proposed on the Subject Site.

Policy 3 of Section 5.1.1. states:

*“In the Downtown Core, the Zoning By-law may:*

- a) Require mixed uses within individual buildings, such as retail or other services on the ground floor;”*

The proposed development aligns with this policy, as it will include commercial services on the ground floor.

Policy 3 in Section 5.1.2 states:

*“Motor vehicle parking in the Downtown Core shall be managed as follows:*

- a) Motor vehicle parking shall not be required in new development, other than visitor parking for large-scale residential development;*
- b) New surface parking lots, and expansions to existing surface parking lots, shall be prohibited in the Downtown Core;*
- c) Where new development includes parking as an accessory use, such parking shall be located underground or, if within the principal building, never at grade along the frontage of any public street;*
- d) The City shall encourage car share parking and electric charging facilities in larger parking lots and parking garages; and*
- e) When the City receives proposals for significant reductions in parking below what is required in the Zoning By-law, the City may seek compensatory provision of enhanced bicycle parking.”*

The proposed development includes 9 parking spaces in an underground garage. These parking spaces are to be shared by residents and visitors.

Policy 1 of Section 5.1.4 states:

*“Maximum and minimum building heights in the Downtown Core where a Hub designation applies, except where a secondary plan permits or restricts otherwise, are as follows:*

- a) Up to 300 metre radius or 400 metres walking distance, whichever is greatest, of an existing or planned O-Train station, between 4 storeys and High-rise inclusive;*
- b) Despite Policy a), greater heights, in accordance with Subsection 5.1.3, Policy 1) may be considered subject to a zoning amendment on:
  - i) Lands that contain or are adjacent to, and within 100 metres walking distance of an O-Train station; or*
  - ii) North of Nepean Street.**
- c) Outside the area described by a) and b), not less than 3 storeys and not more than 6 storeys;”*

The Subject Property is located just outside of the 300-meter radius from the Dow's Lake LRT station and is outside of the 300-meter radius of the planned Corso Italia station (see Figure 3). Therefore, any development on the Subject Property would need to be between 3 to 6 storeys. The proposed development of a six-storey mixed-use building is consistent with this policy.



Policy 2 of Section 5.1.4 states:

*“The Zoning By-law may prohibit buildings with only one type of use in Hubs within the Downtown Core Transect, and developments shall be required to co-locate within the same building complementary functions and uses, including but not limited to residential, office, commercial and institutional.”*

The proposed development complies with this policy, as it provides a mix of residential and commercial uses that are complementary to the surrounding uses.

Policy 3 of Section 5.1.4 states:

*“On Downtown Core Mainstreet Corridors, minimum 2 storeys and maximum building heights generally up to 9 storeys are permitted subject to appropriate height transitions, stepbacks and angular planes, except where a secondary plan or area-specific policy specifies greater or lower heights. Where development is proposed on Mainstreet Corridors, all of the following must be met:*

- a) All buildings shall have active entrances facing the Mainstreet, regardless of use;*
- b) The podium heights of such buildings should be generally proportionate to the width of the street, consistent with the objectives in the urban design section on mid-rise and high-rise built form in Subsection 4.6.6, Policies 7), 8) and 9);*
- c) Buildings shall be of a lower height on lots too small to accommodate an appropriate height transition noted in provision a) above; and*
- d) The height of such buildings may be increased to generally 15 storeys for sites that are within 100 metres walking distance of an O-Train station.”*

The Subject Property is located on a Downtown Core Mainstreet Corridor and the proposed development of a 6-storey building is between the required two to nine storeys. The portion of the building that fronts onto Preston Street is stepped back on the third storey, making it more proportionate with the width of the street. Active entrances for the ground floor commercial uses face the Preston Mainstreet Corridor.

#### **4.2.4 Hub Designation**

Section 6.1 of the 2021 Official Plan lays out general policies and guidance for potential development in the Hub designation. The 2021 Official Plan defines Hubs as *“defined areas that may include lands adjacent to, or within a short walking distance of an identified rapid transit station or major frequent street transit stop, and:*

- a) Hubs generally include lands up to 600 metre radius or 800 metres walking distance, whichever is greatest, from an existing or planned rapid transit station or major frequent street transit stop, and are shown on the B-series of schedules;”*

Policy 3 of Section 6.1.1. provides the following direction for development within a Hub:

- a) Shall direct the highest density close to the transit station or stop so that transit is the most accessible means of mobility to the greatest number of people;*

- b) *Shall encourage large employment, commercial or institutional uses locate close to the transit station;*
- c) *May be required, through the Zoning By-law, to include mixed uses on sites and within buildings located within 300 metre radius or 400 metres walking distance, whichever is greatest of an existing or planned transit station, through measures including but not limited to:*
  - i) *Requiring commercial and service uses on the ground floor of otherwise residential, office and institutional buildings;*
  - ii) *Requiring residential and/or office uses on the upper floors of otherwise commercial buildings; and*
  - iii) *May require minimum building heights in terms of number of storeys to ensure multi-storey structures where uses can be mixed vertically within the building;*
- d) *Shall establish safe, direct and easy-to-follow public routes for pedestrians and cyclists between transit stations and all locations within the Hub;*
- e) *Shall create a high-quality, comfortable public realm throughout the Hub that prioritizes the needs of pedestrians, cyclists and transit users;*
- f) *Shall establish buildings that:*
  - i) *Edge, define, address and enhance the public realm through building placement, entrances, fenestration, signage and building facade design;*
  - ii) *Place principal entrances so as to prioritize convenient pedestrian access to the transit station and the public realm; and*
  - iii) *Place parking, loading, vehicle access, service entrances and similar facilities so as to minimize their impact on the public realm.*
- g) *Shall be subject, through the Zoning By-law, to motor vehicle parking regulations that support the Hub's prioritizing of transit, walking and cycling, including as appropriate:*
  - i) *Reduction or elimination of on-site minimum parking requirements;*
  - ii) *Maximum limits on parking supply;*
  - iii) *Prohibition of surface parking lots as a main or accessory use, other than publicly-operated park-and-ride facilities;*
  - iv) *Regulation, pricing, metering and enforcement of public on- and off-street parking to balance supply and demand;*
  - v) *Establishment of residential on-street parking permit zones; and*
  - vi) *Despite the above, visitor parking shall continue to be required for high-density residential uses, in order to prevent visitor demand for parking from creating undue demand on public parking facilities; and*
- h) *Prohibit uses causing or likely to cause nuisance due to noise, odour, dust, fumes, vibration, radiation, glare or high levels of heavy truck traffic.*

The proposed development complies with the direction for development in Hubs. While the Subject Property is not within a 300-meter radius from the Dow's Lake LRT station, the proposed development provides ground floor commercial uses in an otherwise residential building, which aligns with the general intent of the policy. The sidewalks along Preston Street and nearby cycling trails make Dow's Lake LRT station (formerly Carling station) easily accessible for residents. The proposed development compliments the existing streetscape, with the building's principal entrances facing Preston Street. These entrances are at grade with the sidewalk, eliminating any accessibility issues and providing easy access to the street. Vehicular and parking access is

located away from Preston Street at the rear of the building. The provided parking is shared between residents and visitors.

Section 6.1.2 contains policies for properties within the Protected Major Transit Station Areas (PMTSA), including the Subject Property (Figure 12). Policy 3 states:

*“Permitted uses within the PMTSAs shall include a range of mid- and high-density housing types as well as a full range of non-residential functions including employment, commercial services and education institutions, excluding those uses listed in Policy 2) above.”*

The proposed development complies with this policy. It provides a high-density housing type as well as commercial services within a single building.

Policy 4 in Section 6.1.2 states:

*“The minimum building heights and lot coverage requirements within PMTSAs except as specified by a Secondary Plan, are as follows:*

- a) Within 300 metre radius or 400 metres walking distance, whichever is greatest, of an existing or planned rapid transit station, not less than 4 storeys with a minimum lot coverage of 70 per cent; and*
- b) Outside the area described by a) not less than 2 storeys with a minimum lot coverage of 70 per cent”*

The Subject Property is outside of the 300-meter radius around Dow’s Lake LRT station. The proposed development complies with the policy as it is above the minimum 2 storeys required by the policy.

#### **4.2.5 Corridor Designation**

Section 6.2 of the 2021 Official Plan provides policy direction for development in the Corridor designation. The Corridor designation applies to the following areas:

*“1) Corridors are shown as linear features in the B-series of schedules. The Corridor designation applies to any lot abutting the Corridor, subject to:*

- a) Generally, a maximum depth of:*
  - i) In the case of Mainstreet Corridors, a maximum depth of 220 metres from the centreline of the street identified as a Mainstreet Corridor;”*

The Subject Property is abutting a Mainstreet Corridor and is within 220 meters from the centreline of the street. Therefore, the Corridor designation applies to the Subject Property.

Policy 2 of Section 6.2.1 states:

*“Development within the Corridor designation shall establish buildings that locate the maximum permitted building heights and highest densities close to the Corridor, subject to building stepbacks where appropriate. Further, development:*

- a) *Shall ensure appropriate transitions in height, use of land, site design and development character through the site, to where the Corridor designation meets abutting designations;”*

The proposed development adequately transitions between the surrounding buildings. The step backs in the building design help facilitate the change in height between the proposed development and the two-storey buildings to the south. The mid-rise building height also compliments the 4-storey building that is located north of Aberdeen Road, as the proposed development is only a few storeys taller than the neighbouring building. Additionally, the property to the east of the Subject Property is being redeveloped with a 15-storey building. The proposed mixed-use building will help create a smooth transition between the street and the proposed building to the east, by providing a built form and height that reduces shadowing effects and is more comfortable for pedestrians.

Policy 3 of Section 6.2.1 states:

*“Corridors will generally permit residential uses and such non-residential uses that integrate with a dense, mixed-use urban environment. The City may require through the Zoning By-law and/or development applications to amend the Zoning By-law:*

- a) *Commercial and service uses on the ground floor of otherwise residential, office and institutional buildings with a strong emphasis on uses needed to contribute to 15-minute neighbourhoods;*
- b) *Residential and/or office uses on the upper floors of otherwise commercial buildings; and/or*
- c) *Minimum building heights in terms of number of storeys to ensure multi-storey structures where uses can be mixed vertically within the building.”*

The proposed development complies with the policy by providing a mix of uses within the building. This mixed-use development will help contribute to 15-minute communities by providing the residential intensity needed to support the surrounding commercial uses. Additionally, the Subject Property is well located within a walking distance from a number of commercial, employment, and recreational amenities.

Policy 4 of Section 6.2.1 states:

*“Unless otherwise indicated in an approved secondary plan, the following applies to development of lands with frontage on both a Corridor and a parallel street or side street:*

- a) *Development shall address the Corridor as directed by the general policies governing Mainstreet Corridors Minor Corridors, particularly where large parcels or consolidations of multiple smaller parcels are to be redeveloped; and*
- b) *Vehicular access shall generally be provided from the parallel street or side street.”*

The proposed development addresses the Corridor, with the principal commercial entrances on Preston Street. Vehicular access to the site and parking is located to the rear of the building and is accessed through Aberdeen Street.

Policy 1 of Section 6.2.2 states:

*“In the Mainstreet Corridor designation, this Plan shall permit a mix of uses including offices. These uses are permitted throughout the building, however the Zoning By-law may require active commercial or service uses on the ground floor, which include those that support cultural development in order to maintain, extend, or create a continuous stretch of active frontages along a Mainstreet.”*

The proposed development includes active commercial uses on the ground floor that helps create a continuous active street frontage.

#### **4.2.6 Evolving Neighbourhoods Overlay**

Section 5.6.1 provides policy direction for Built Form Overlays, including the Evolving Neighbourhoods Overlay.

Policy 1 of Section 5.6.1.1. states:

*“The Evolving Overlay will apply to areas that are in a location or at stage of evolution that create the opportunity to achieve an urban form in terms of use, density, built form and site design. These areas are proximate to the boundaries of Hubs and Corridors as shown in the B-series of schedules of this Plan. The Evolving Overlay will be applied generally to the properties that have a lot line along a Minor Corridor; lands 150 meters from the boundary of a Hub or Mainstreet designation; and to lands within a 400-metre radius of a rapid transit station. The Overlay is intended to provide opportunities that allow the City to reach the goals of its Growth Management Framework for intensification through the Zoning By-law, by providing:*

- a) Guidance for a gradual change in character based on proximity to Hubs and Corridors,*
- b) Allowance for new building forms and typologies, such as missing middle housing;*
- c) Direction to built form and site design that support an evolution towards more urban built form patterns and applicable transportation mode share goals; and*
- d) Direction to govern the evaluation of development.”*

The Subject Property is within 150 meters of a Mainstreet. The proposed development of a six-storey mixed-use building meets the overlay’s objectives of transitioning the area and providing residential intensification that is supportive of transit and transportation mode share goals.

Policy 2 of Section 5.6.1.1 states:

*“Where an Evolving overlay is applied:*

- a) The Zoning By-law shall provide development standards for the built form and buildable envelope consistent with the planned characteristics of the overlay area, which may differ from the existing characteristics of the area to which the overlay applies; and*
- b) The Zoning By-law shall include minimum-density requirements as identified in Table 3a, and permissions to meet or exceed the density targets of Table 3b.”*

For the Dow's Lake Hub, the required minimum density is 250 dwelling units per hectare. The proposed development exceeds this requirement, as it provides roughly 440 dwelling units per hectare.

Policy 6 of Section 5.6.1.1 states:

*“Zoning By-law development standards and development on lands with an Evolving Overlay should generally include built form and site design attributes that meet most of the urban characteristics described in Table 6 in Section 5, and where suburban attributes are retained, that these do not structurally impede the achievement of a fully urban site design over time.”*

The urban characteristics outlined in Table 6 of Section 5 of the 2021 Official Plan are as follows:

- *Shallow front yard setbacks and in some contexts zero front yards with an emphasis on built-form relationship with the public realm*
- *Principal entrances at grade with direct relationship to public realm*
- *Range of lot sizes that will include smaller lots, and higher lot coverage and floor area ratios*
- *Minimum of two functional storeys*
- *Buildings attached or with minimal functional side yard setbacks*
- *Small areas of formal landscape that should include space for soft landscape, trees and hard surfacing*
- *No automobile parking, or limited parking that is concealed from the street and not forming an integral part of a building, such as in a front facing garage*

The proposed development has a shallow front yard setback of 2 meters that allows the building to better interact with the public realm. The building provides active frontage onto the Mainstreet, with the principal entrances to the building all located along Preston Street. These entrances are at grade with the street, reducing accessibility concerns and providing easy access to the street. The proposed development has limited parking, which is located underground. The entrance to the parking garage is located to the rear of the building and is therefore concealed from the street.

#### **4.2.7 Development Review Requirements**

The 2021 Official Plan requires a number of studies to be included as part of a complete development application in order to adequately meet the objectives of the Official Plan. The appropriate policies, related studies, and plans were identified through a pre-application consultation meeting with the City at the beginning of the application review process.

Required studies and plans identified as relevant have been prepared in support of the proposed development. Detailed and technical information can be obtained by reviewing the respective documents.

##### Relating to Section 4.7.1 – Stormwater Management and Site Servicing

Policy 6 of Section 4.7.1 requires redevelopment applications to implement site, grading, building, and servicing design measures. As part of this application, a Grade Control and Drainage Plan has been completed. This Plan was completed by WSP on August 19, 2022.



Policy 8 of Section 4.7.1 requires proof of sufficient stormwater management and drainage system as a condition of Site Plan Control approval. A Stormwater Management Report was completed by WSP and is dated March 7, 2022. The Stormwater Management Report examined the potential water quality and quantity impacts of the proposed development and how each will be addressed. The recommendations are consistent with the policies of Section 4.7.1.

Policy 12 of Section 4.7.1 requires an approved master servicing study, an approved environmental management plan, and a subwatershed study to be included as part of a complete application for a new development in a future neighbourhood. The Subject Property is not located in a future neighbourhood and these studies are not required. City staff requested that a Site Servicing study and plan be included in the application. The Site Servicing Study and Plan were completed by WSP and are dated March 7, 2022. The recommendations of the Site Servicing Study concludes that *“the proposed development can meet all provided servicing constraints and associated requirements”*. The recommendations of the Site Servicing Study are consistent with Section 4.7.1.

#### Relating to Section 10.1.1 – Flood Plain Studies

Policy 1 of Section 10.1.1 requires a flood plain study and supporting engineering and environmental studies to be submitted upon identification in consultation with the City. A flood plain study was not required by City staff for the Subject Property.

#### Relating to Section 10.1.6 – Contaminated Sites

Policy 1 of Section 10.1.6 requires environmental site assessments and remedial or risk assessment/risk management activities reports to be completed as part of a development application. City staff identified the need for a Phase 1 Environmental Assessment to be completed as part of the application. A Phase 1 ESA has been completed by Paterson Group and is dated July 4, 2022. The recommendations of the Phase 1 ESA state that:

*“Based on the age of the subject buildings, asbestos containing materials (ACMs) may be potentially present within the structures. Potential ACMs identified at the time of the site inspection include:*

*361 Preston Street: plaster wall finishes.*

*363 Preston Street: drywall joint compound, plaster wall finishes.*

*These materials were noted to be in relatively good condition at the time of the site inspection and do not represent an immediate hazard or concern. An asbestos survey of the buildings should be conducted in accordance with Ontario Regulation 278/05, under the Occupational Health and Safety Act, prior to any renovation or demolition activities, if one has not already been conducted. Based on the age of the subject buildings, lead-based paints may be present beneath more recent paints, on any original or older painted surfaces. Painted surfaces were generally observed to be in good condition at the time of the site inspection and do not represent an immediate hazard or concern. Major work involving lead-based paint or other lead containing products must be done in accordance with Ontario Regulation 843, under the Occupational Health and Safety Act.”*

Based on the recommendations of the Phase 1 ESA, a subsequent Phase 2 ESA was prepared by Paterson Group, dated July 12, 2022. The recommendations of the Phase 2 ESA state the following:

*“It is our recommendation that an environmental site remediation program be completed in conjunction with site redevelopment activities. This will require the segregation of clean soil from impacted soils, the latter of which will require disposal at an approved waste disposal facility.”*

The recommendations are consistent with Section 10.1.6.

#### Relating to Section 10.2.1 – Noise

Policy 2 of Section 10.2.1 requires a Noise Study to be prepared as part of a complete application. A Noise Study was completed by Gradient Wind and is dated October 20, 2022. The recommendations of the Noise Study state the following:

*“The results of the roadway traffic noise calculations indicate that Plane of Window noise levels will range between 58 and 69 dBA during the daytime period (07:00-23:00) and between 50 and 61 dBA during the nighttime period (23:00-07:00). The highest noise level (69 dBA) occurs at the north façade which is nearest and most exposed to Preston Street. Building components with a higher Sound Transmission Class (STC) rating will be required where exterior noise levels exceed 65 dBA. The STC requirements can be seen in Table 4 as well as in Figure 3. As the noise level does not exceed limits for the rooftop amenity area, no acoustic mitigation will be required. Results of the calculations also indicate that the proposed building will require central air conditioning, or a similar mechanical system, which will allow occupants to keep windows closed and maintain a comfortable living/working environment. The following Type D Warning Clause will also be required on all Lease, Purchase and Sale Agreements, as summarized below:*

***Type D:***

*“This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment.”*

The recommendations of the Noise Study are consistent with the relevant policies of Section 10.2.1 of the Official Plan.

### **4.3 West Downtown Core Secondary Plan**

The Subject Property is located in the Dow’s Lake Station District area in Chapter 1 of the West Downtown Core Secondary Plan. The West Downtown Core Secondary Plan was adopted along with the new Official Plan by City Council on November 24, 2021 and was approved by the Minister of Municipal Affairs and Housing on November 4, 2022. The Subject Property is designated Corridor – Mainstreet on Schedule D of the Secondary Plan.

Figure 14: West Downtown Core Schedule D Excerpt

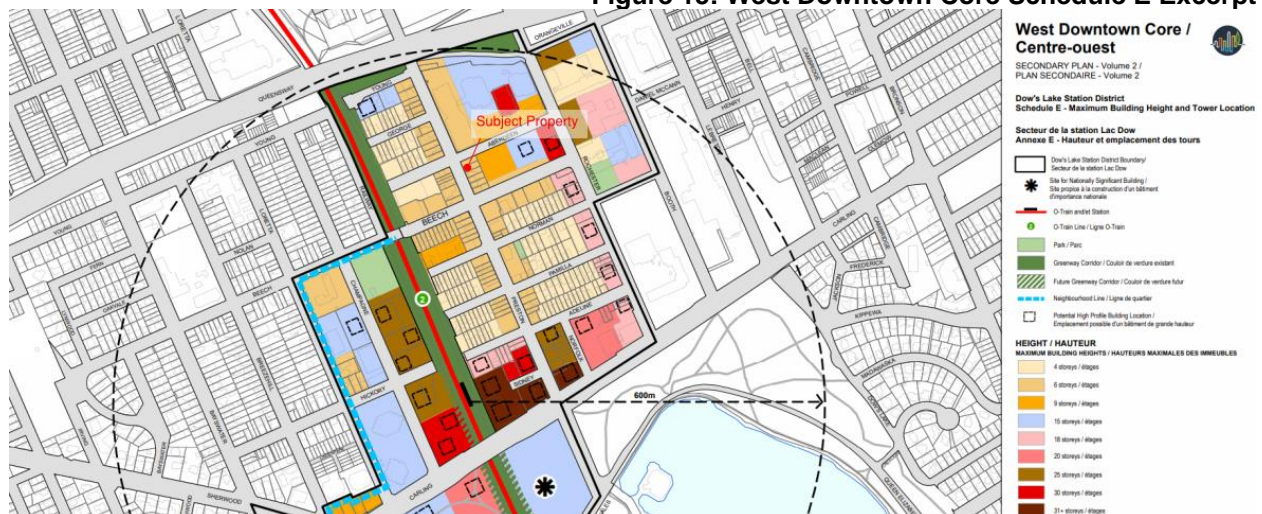


Section 4 of the Secondary Plan defines the land use and built form requirements for the area. Policy 1 of Section 4.1.3 states:

*“High-rise mixed-use development to a height of 15 storeys may be permitted on the vacant and/or underutilized properties east of the O-Train, Line 2 corridor south of Young Street, to serve as a buffer between Highway 417 and the Little Italy neighbourhood, in accordance with Schedule E: Dow’s Lake Station District Heights and Tower Location Plan.”*

Since the Subject Property is located to the east of the O-Train corridor, high-rise mixed-use developments may be permitted, subject to Schedule E. Schedule E permits a maximum building height of six storeys on the Subject Property (see Figure 15). The proposed development is in compliance with this, as it proposes a six-storey mixed-use building.

Figure 15: West Downtown Core Schedule E Excerpt



Policy 1 of Section 4.1.4 states:

*“Low to mid-rise, up to a height of six storeys, human scale, mixed-use buildings in keeping with a Mainstreet function and character may be permitted along the Mainstreet Corridors as shown in Schedule D: Dow’s Lake Station District Character Areas of this secondary plan.”*

The Subject Property is designated Mainstreet Corridor in the Secondary Plan. The proposed development complies with the policy’s maximum height provision and provides the required mix of uses and human scale through setbacks on the third storey. By doing so, the building contributes to the streetscape along the Mainstreet and provides a gradual transition in height.

Policy 1 of Section 4.2.3 states:

*“In general, mid-rise building should have a base that relates to the sidewalk and pedestrian realm, a middle portion (a height that is approximately equivalent to the width of the right of way) to form part of the streetwall and relate to adjacent buildings and a top that incorporates building form articulations such as step backs and/or elevation treatments to break up building mass and allow sky-view, sunlight and transition.”*

The proposed development has an active frontage that relates to the sidewalk and creates a comfortable pedestrian realm. The entrances to the ground-floor commercial are at-grade with the sidewalk, providing easy access for pedestrians and reducing accessibility concerns. The proposed building is also stepped back above the third storey. This provides a consistent streetwall that relates well to both the neighbouring two-storey buildings and the four-storey building to the north. It allows breaks up the building massing and allows for more sunlight to reach pedestrians on the street.

Policy 2 of Section 4.2.3 states:

*“New development will be required to articulate the building mass and explore design techniques such as setbacks and step backs to avoid the canyon effect along the public street and to minimize the visual and microclimate impacts on public and private realms.”*

The proposed development is stepped back on two portions of the building. On the west side of the building fronting onto Preston Street, a setback above the third storey is provided. On the north side of the building fronting onto Aberdeen Street, a setback above the fifth storey is provided. These two setbacks help articulate the mass of the building and reduce the visual impact of the building. In particular, the setback on Preston Street ensures that the public realm of the Mainstreet is not adversely impacted by the proposed building.

Policy 3 of Section 4.2.3 states:

*“The relationship between the new development and the abutting existing and future neighbourhood buildings shall be carefully examined and addressed to ensure liveability for existing and future residents through adequate provisions for privacy, sunlight and cross ventilation.”*

The proposed development fits in well with the surrounding neighbourhood while providing residential density to the area. The setbacks on the building provide an appropriate transition between the proposed development and surrounding two- to four-storey buildings. The proposed height is also suitable for the Preston Mainstreet Corridor and does not adversely affect the pedestrian realm. The proposed development also provides a suitable transition between Preston Street and the proposed 15-storey building to the east of the Subject Property as it creates a more gradual change in height while minimally impacting the pedestrian realm.

Policy 1 of Section 4.2.4 states:

*“Continuous at grade retail and commercial frontages shall be required on Preston Street”*

The proposed development complies with this policy as it provides commercial uses at grade and a continuous commercial frontage on Preston Street.

**The proposed Minor Zoning By-law Amendment and Site Plan Control applications conform with the policies of the 2021 City of Ottawa Official Plan.**

#### **4.4 City of Ottawa Zoning By-law 2008-250**

The Subject Property is zoned Traditional Mainstreet (TM[78]) in the City of Ottawa Zoning By-law 2008-250. The property is subject to Exception 78 in the Zoning Bylaw as well as the Mature Neighbourhoods Overlay.

The purpose of the TM zone is to:

1. *accommodate a broad range of uses including retail, service commercial, office, residential and institutional uses, including mixed-use buildings but excluding auto-related uses, in areas designated **Traditional Mainstreet** in the Official Plan;*
2. *foster and promote compact, mixed-use, pedestrian-oriented development that provide for access by foot, cycle, transit and automobile;*
3. *recognize the function of Business Improvement Areas as primary business or shopping areas; and*
4. *impose development standards that will ensure that street continuity, scale and character is maintained, and that the uses are compatible and complement surrounding land uses.*

A six-storey building is proposed for the Subject Property, which will include two ground-floor commercial units and 37 residential uses. The proposed building is considered a mixed-use building by the Zoning Bylaw. The ground-floor commercial uses and the proximity to the Dow's Lake LRT station will promote a pedestrian-oriented public realm where residents can access daily needs by walking, cycling, or taking transit. The built form of the building will maintain the street continuity, scale, and character of the area by providing setbacks to reduce the impact of the building on the street. The proposed development is therefore consistent with the purpose of the TM zone.

Provision 1 of Section 197 of the Zoning By-law lists a number of permitted non-residential uses for the TM zone. This includes the use as a “bank”, which has been proposed for a portion of the ground floor and second storey. The other commercial unit is permitted to be occupied by a variety of other commercial uses. Provision 2 of Section 197 of the Zoning By-law lists “apartment dwelling, mid rise” as a permitted use in the TM zone. The proposed mixed-use building is permitted in the TM zone.

Table 1 below summarizes the applicable zoning provisions for the Subject Property.

**Table 1: Zoning Provisions for the Subject Property**

Zoning Provision	Required	Provided
Minimum Lot Area (m <sup>2</sup> )	No minimum	841 m <sup>2</sup>
Minimum Lot Width (m)	No minimum	29.9 m
Max Front Yard Setback (m)	2 m	2 m
Max Interior Yard Setback (m)	3 m	0 m
Min Interior Yard Setback (m)	No minimum	0 m
Minimum Corner Yard Setback (m)	3 m, except for any part of a building above 15 metres for which an additional 2 metre setback must be provided	3 m Additional 2 m setback provided on 5 <sup>th</sup> storey
Minimum Rear Yard Setback (m)	No minimum	0 m
Minimum Building Height (m)	6.7 metres for a distance of 20 metres from the front lot line as set out under subsection 197(5) below	19.75 m
Maximum Building Height (m)	20 m / 6 storeys Additional setback of 2 meters where building greater than 4 storeys	19.75 m Additional 2 m setback provided on 5 <sup>th</sup> storey
Minimum Driveway Width (m)	3 m for parking lots with less than 20 parking spaces	3.6 m
Maximum Driveway Width (m)	3.6 m	3.6 m
Required Total Amenity Area	222 m <sup>2</sup> (6 m <sup>2</sup> per dwelling unit)	275.7 m <sup>2</sup>
Required Communal Amenity Area	111 m <sup>2</sup> (50% of required total amenity area)	139.2 m <sup>2</sup>
<b>Projections</b>		
Minimum Setback for Rooftop Terrace	1.5 m from exterior wall	3.9 m
Maximum Projection (Balcony)	2 m	1 m
<b>Parking Requirements</b>		
Minimum Parking Spaces	No minimum	9 parking spaces
Minimum Visitor Parking Spaces	2.5 spaces	



	(0.1 spots per dwelling unit after the first 12 units)	
Maximum Visitor Parking Spaces	30 spaces	9 parking spaces
Minimum Barrier Free Parking Spaces (as per Section 3.1.2 Table 3 of Accessibility Design Standards)	1 Type A space	1 Type A space
Minimum Bicycle Parking Spaces – Residential	18.5 (0.5 spaces per dwelling unit)	26 bike spaces
Minimum Bicycle Parking Spaces – Commercial	2.2 (1 space per 250 m <sup>2</sup> ground floor area)	

The proposed development complies with the required front yard, interior yard, and rear yard setbacks, as well as the required parking and amenity provisions. The proposed development meets the required 3-meter corner yard setback. However, it does not meet the additional 2-meter setback provision for parts of the building above 15 meters, as it provides this setback above the fifth storey, at a height of roughly 17.7 meters. The proposed development also meets the maximum building height of 20 meters / 6 storeys but does not comply with the required setback above the fourth storey, instead providing this setback at the fifth storey. The proposed Minor Zoning By-law Amendment addresses both of these provisions.

Exception 78 of the Zoning By-law requires lots that are greater than 603 m<sup>2</sup> to be developed as mixed use with ground floor commercial uses that do not exceed the gross floor areas of the residential uses. The proposed development complies with this provision, providing commercial uses with a gross floor area of approximately 542.4 m<sup>2</sup>.

Section 64 of the Zoning Bylaw regulates permitted projections above the height limit. The provision states that maximum building limits do not apply to the following structures.

- *“Mechanical and service equipment penthouse, elevator or stairway penthouses*
- *Landscaped areas, roof-top gardens and terraces and associated safety guards and access structures; pursuant to Table 55, Row (8)”*

The proposed development includes a communal and a private rooftop terrace, as well as an elevator and two sets of stairs to access the rooftop. A mechanical room is also located on the roof of the building. All of these uses are permitted to be located above the height limit.

Table 55, Row (8) provides provisions for rooftop landscaped areas, gardens and terraces. For an apartment, mid-rise where the terrace is located on the roof of the uppermost storey, the terrace is required to be a minimum of 1.5 meters from any exterior wall of the building. The proposed development complies with this provision (see Table 1)

**The proposed Minor Zoning By-law Amendment and Site Plan Control application are consistent with the purpose of the Traditional Mainstreet zone and are generally consistent with the relevant provisions of the City of Ottawa Zoning By-law.**

## 5.0 URBAN DESIGN GUIDELINES

The City of Ottawa's Urban Design Guidelines provide guidance in order to promote and achieve appropriate development within key growth areas throughout the City. Where the Urban Design guidelines apply, not all of the direction provided will apply to the proposed development. The Urban Design Guidelines are not statutory documents and are intended to supplement the policies and regulations of the Official Plan and Zoning By-law. Two sets of Urban Design Guidelines apply to the Subject Property. These are the Urban Design Guidelines for Development along Traditional Mainstreets and the Transit-Oriented Development Guidelines.

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

The Urban Design Guidelines for Development along Traditional Mainstreets were completed and approved on May 24, 2006. These guidelines apply across the City to all streets identified as a Traditional Mainstreet in the Official Plan (2003) and provide urban design guidance for new developments. The primary objectives of the guidelines are as follows:

- To promote development that will enhance and reinforce the recognized or planned scale and character of the street
- To promote development that is compatible with, and complements its surroundings
- To achieve high-quality built form and strengthen building continuity along Traditional Mainstreets
- To foster compact, pedestrian-oriented development linked to street level amenities
- To accommodate a broad range of uses including retail, services, commercial uses, offices, residential and institutional uses where one can live, shop and access amenities.

The proposed development adheres to the objectives of the Urban Design Guidelines for Development along Traditional Mainstreets. The proposed six-storey development includes a setback above the third storey which helps maintain the existing scale of the street while creating a sense of human scale and improving pedestrian comfort. It also provides a smooth transition between the street and surrounding low rise uses and the proposed high-rise building to the east. The ground-floor commercial uses continue the existing retail streetscape and the plentiful glazing and windows provide an open and transparent pedestrian experience. Additionally, the ground-floor commercial uses and active frontages provide easy access between the site and the street for pedestrians. The residential density provided on the site will support the surrounding commercial uses, allowing residents to access their daily needs within walking distance. All parking on the site is located away from Preston Street to the rear of the building and is located below-grade to minimize the impact on the street.

### 5.2 Transit-Oriented Development Guidelines

The Transit-Oriented Development Guidelines were completed and approved by City Council on September 26, 2007. The guidelines provide direction for all development located within a 600-meter walking distance of a rapid transit stop or station. The Subject Property is located within

600 meters walking distance of the Dow's Lake LRT station. Therefore, the guidelines apply to the proposed development.

The primary objectives of the guidelines are related to the following themes:

- Land Use – Locating the right type and combination of uses for supporting transit ridership
- Layout – to foster development that is convenient and accessible for transit use
- Built Form – to create more interesting and attractive public realms around transit stations through “place-making”
- Pedestrians & Cyclists – to enhance the experience of getting to and from a transit station
- Vehicles & Parking – to minimize conflicts between vehicles and pedestrians using transit
- Streetscape & Environment – quality of design in spaces of the public realm leading to and from transit stations or stops

The proposed development adheres to the objectives of the Transit-Oriented Development Guidelines. The Subject Property is located within 600 meters of and is approximately a 7 minute walk from the Dow's Lake LRT station. The proposed development provides an increased residential density on the site in order to support increased transit ridership. The building form and design allow this increased density to be minimally impactful on the street, with stepbacks provided above the third storey to create a more human scale streetscape. The at-grade entrances make accessing the sidewalk easy for pedestrians and support a pedestrian-oriented environment. Ground-floor commercial uses with plentiful windows enhance the streetscape and make walking along Preston Street an enjoyable and comfortable experience. Vehicle parking is tucked away to the rear of the building, minimizing conflict with pedestrians accessing the LRT station.

## **6.0 PUBLIC CONSULTATION STRATEGY**

### **Prior to Submission**

A formal pre-application consultation meeting was held with City staff and members of the Dalhousie Community Association in June 2021.

### **Upon Submission**

The public will be consulted with regarding the proposed development through the legislated public consultation requirements. This includes a signed posted on the site and the posting of the application on the City's 'DevApps' website. At this time, neighbours will have the opportunity to comment on the proposal.

Immediately following the filing of the application, an information meeting will be coordinated with the Councillor's office. If necessary, a second public meeting will take place to discuss this development application with the community.

**Virtual Open House**

<b>Who:</b>	Residents of the community
<b>Where:</b>	The Open House may be held electronically via Zoom, subject to the necessary COVID-19 protocols.
<b>When:</b>	Soon after the City's circulation. This is to ensure that members of the public are aware of the project well in advance of any public meeting of Planning Committee.
<b>City rep.:</b>	The File Lead may wish to attend, depending on the level of interest from the public. This meeting will be coordinated with the Ward Councillor.
<b>Follow up:</b>	Attendees wishing to receive follow-up information may email Novatech's file lead or the City's file lead. The Project Team will do their best to keep interested citizens informed of significant changes and/or the final submission that will be heard at Planning Committee.
<b>Notes:</b>	At the time of the public meeting, COVID-19 health restrictions may allow for an in-person meeting. In this case, the meeting will be held during the week in the early evening. The location of the meeting will be shared as early as possible to ensure all interested members of the public can attend. Interested parties can request further information through the Project Team or their Community Association Primary Contact.

**7.0 CONCLUSION**

This Planning Rationale has been prepared in support of a Minor Zoning By-law Amendment application and a Site Plan Control application to facilitate the development of a six-storey mixed-use building on 357-363 Preston Street. The proposed development will consist of two ground-floor commercial units and 37 residential units. An underground parking garage with 9 shared parking spaces will be included on the site and will be accessible through a ramp to the rear of the building. Bike parking for 26 bikes will be provided on the ground floor. A communal rooftop terrace for residents is also proposed.

The Subject Property is designated as a Hub in the Downtown Core Transect in the City of Ottawa Official Plan (2021). The Subject Property is located along the Preston Mainstreet Corridor, is part of a Protected Major Transit Station Area (PMTSA), and is subject to the Evolving Neighbourhood Overlay. The Subject Property is designated Corridor – Mainstreet in the West Downtown Core Secondary Plan. The Subject Property is zoned Traditional Mainstreet, Exception 78 (TM[78]) in the City of Ottawa Zoning By-law 2008-250.

The proposed development is appropriate to support the growth and development of the settlement area of Ottawa. The proposal meets the housing and intensification goals of the Provincial Policy Statement by adding 37 dwelling units to the urban area. The proposed development is well located to accommodate the increased density, with access to shopping, employment, and transit within a walking distance. The proposed Minor Zoning By-law Amendment will have no negative impacts to natural heritage and features, natural resources, or cultural heritage resources. The requested Minor Zoning By-law Amendment and proposed development are consistent with the policies of the Provincial Policy Statement.

The Minor Zoning By-law Amendment and proposed development are consistent with the policies of the City of Ottawa Official Plan (2021) and the West Downtown Core Secondary Plan. The

proposal is in line with the Hub and Corridor designations and meets the City's intensification goals while maintaining a form that is context-sensitive and adds to the streetscape. The commercial uses on the ground floor and part of the second floor are consistent with the retail context of Preston Street and contribute to the City's 15-minute neighbourhood objectives. The requested Minor Zoning By-law Amendment established appropriate zoning provisions for the proposed mixed-use building and permits development that is compatible with the surrounding uses.

The Minor Zoning By-law Amendment and Site Plan Control applications are appropriate for the development of the Subject Property and represent good land use planning.

Yours truly,  
**NOVATECH**

Prepared by:



Simran Soor, M. Pl  
Planner

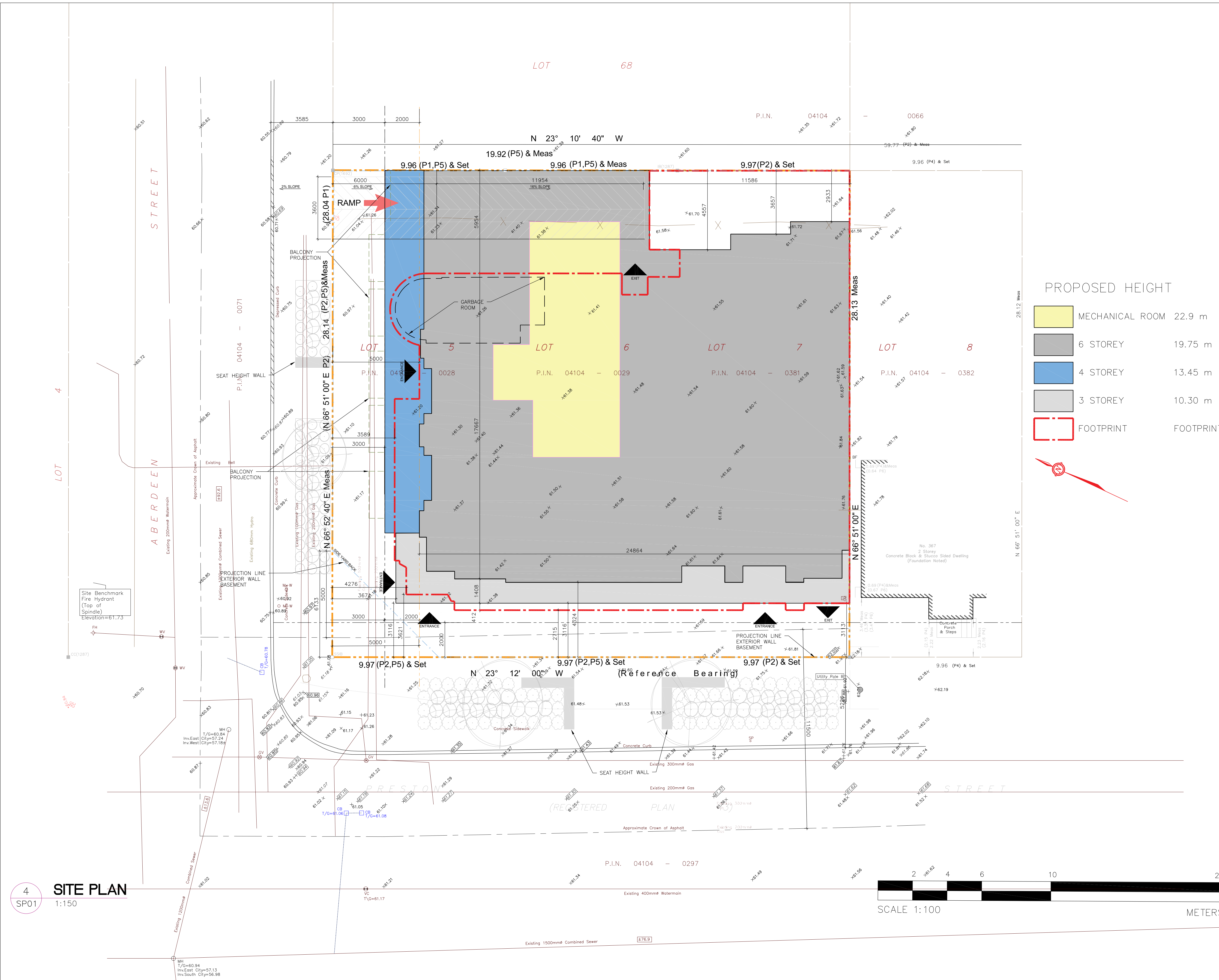
Reviewed by:



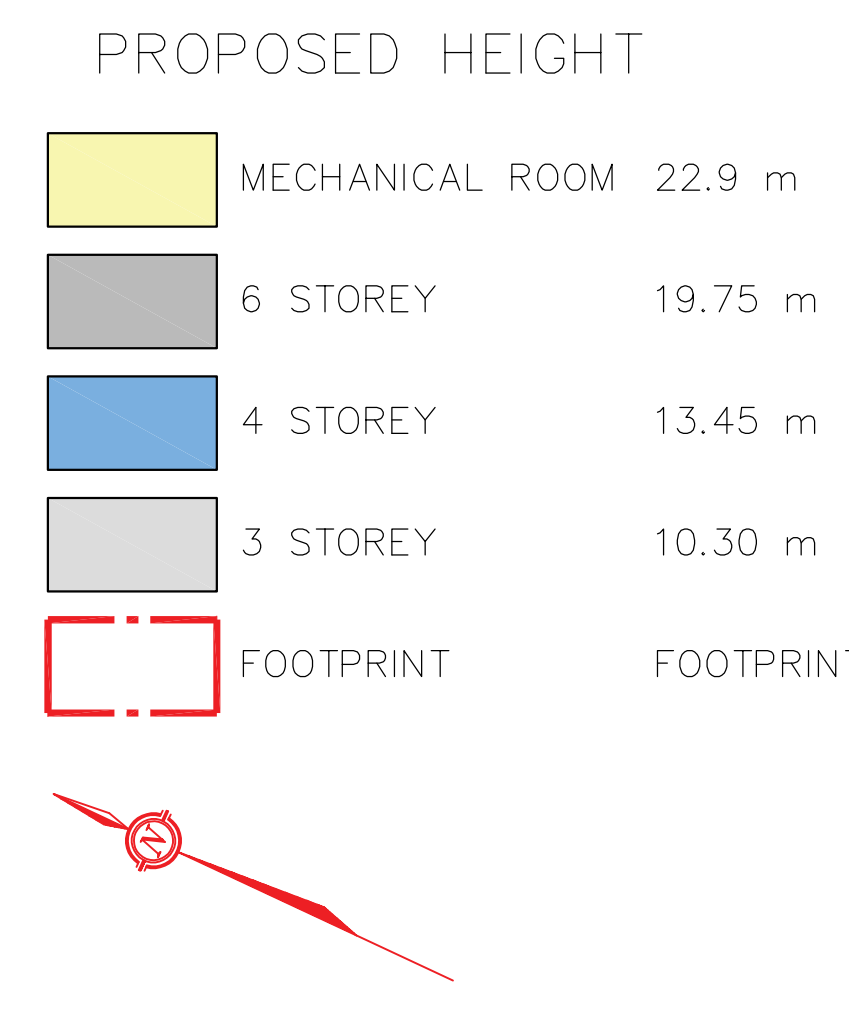
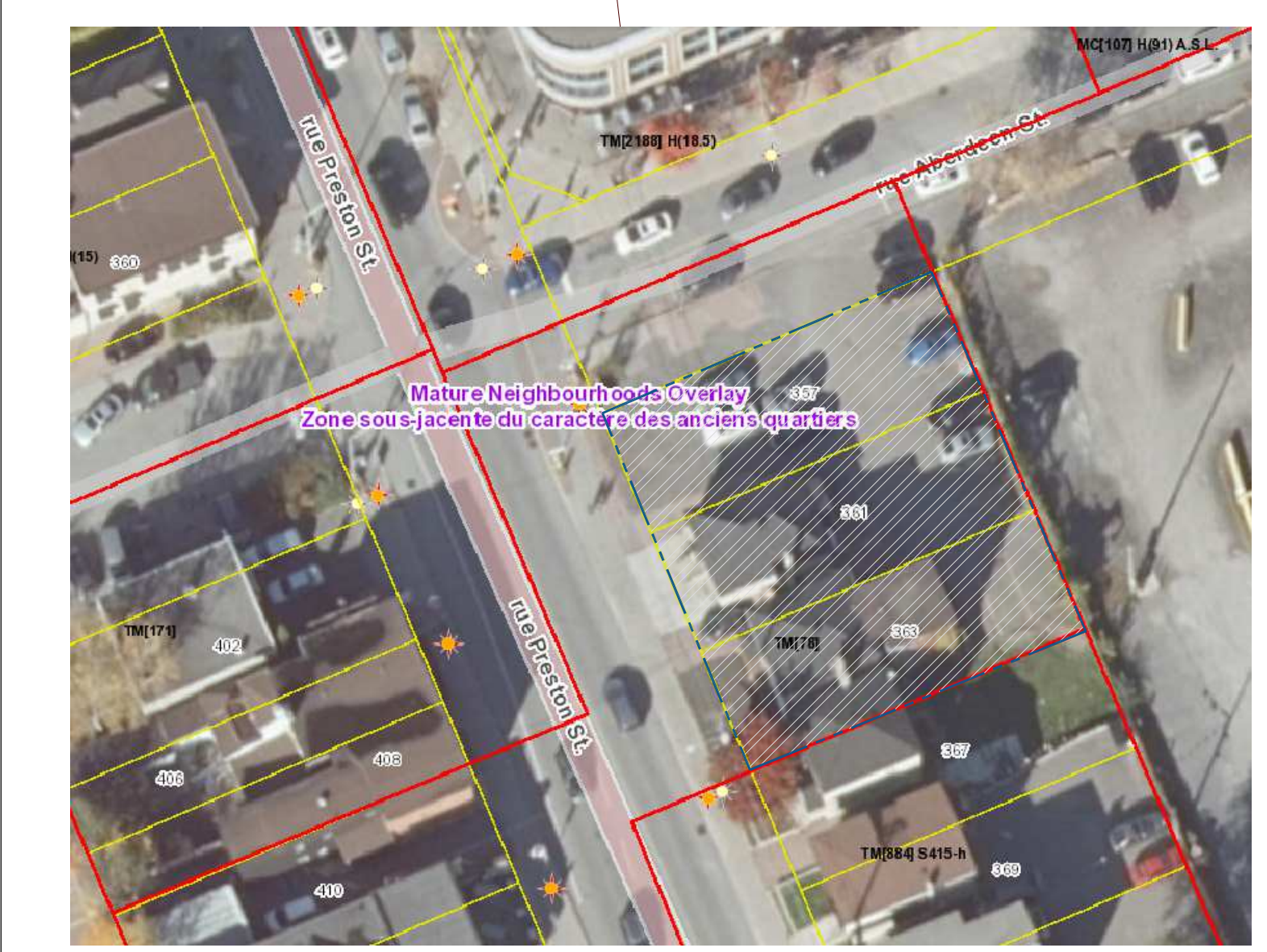
Murray Chown, MCIP, RPP  
Director | Planning & Development

Appendix A:  
Site Plan





4 SITE PLAN  
SP01 1:150



ZONING INFORMATION:		
TM (78) MATURE NEIGHBOURHOOD OVERLAY		
DWELLING TYPE -40 UNIT MIXED USE BUILDING		
LOT COVERAGE: 572 sq m/841 sqm= 0.89%		
PROJECT INFORMATION		
MIN. ZONING STANDARD	REQUIRED	PROVIDED
LOT AREA	N/A	841.00 sq m
LOT WIDTH	N/A	29.90 m
MAX BUILDING HEIGHT	20 m not more than 6 storeys	19.75 m
FRONT YARD	2.00 m	2.00 m
INTERIOR SIDE YARD	Max. =3m Min= No min.	0.00 m
CORNER SIDE YARD	3 m + 2m above 15 m	3.00 m
REAR SIDE YARD	No minimum	0.00 m
AMENITY AREA		
MIN. ZONING STANDARD	REQUIRED	PROVIDED
6 sq m BY UNIT	222.00 m2	
ROOF		139.17 m2
BALCONIES		136.57 m2
TOTAL AMENITY PROVIDED		275.74 m2
BICYCLE PARKING		
MIN. ZONING STANDARD	REQUIRED	PROVIDED
,5/DWELLING	18.50 un	26.00 un
PARKING SPACES (AREA "Z")		
MIN. ZONING STANDARD	REQUIRED	PROVIDED
NO. PARKING REQUIRED	0.00 un	6 un
VISITOR PARKING REQUIRED 0.1/UNIT	2.50 un	3 un
PROVIDED		9 un
BUILDING AREA		
LEVEL	AREA	
1	831.00 m2	
2	572.00 m2	
3	612.00 m2	
4	572.00 m2	
5	572.00 m2	
6	531.00 m2	
TOTAL BUILDING AREA		4302.00 m2
TYPE		
TYPE	TOTAL UNITS/TYPE	
STUDIO	10	
1 BEDROOM	15	
1 BEDROOM B.F.	5	
1 BEDROOM + DEN	2	
2 BEDROOMS	4	
3 BEDROOMS	1	
TOTAL		37

LEGEND:

- MANHOLE, REFER TO CIVIL
- NEW INTERLOCK/PAVERS
- NEW PAINTED LINES
- NEW SOD
- FIRE DEPARTMENT CONNECTION
- FIRE HYDRANT, REFER TO CIVIL
- CATCH BASIN, REFER TO CIVIL
- BUILDING ENTRANCE
- BICYCLE RACK
- DIRECTIONAL ARROW
- PROPOSED BUILDING FOOTPRINT
- PROPERTY LINE
- CORNER SIDE YARD BACK
- PROJECTION EXTERIOR LINE BASEMENT
- 2.00 M. SIDE YARD BACK FROM 5th LEVEL
- EXISTING CITY LIGHT STANDARD
- NEW LIGHT STANDARD
- FIRE ROUTE SIGN
- STOP SIGN
- CENTERLINE
- EXISTING TREES TO BE REMOVED

CLIENT

KEY PLAN

PROJECT

STAMP

TRUE NORTH

ALL CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE AND TO REPORT ALL ERRORS AND/OR OMISSIONS TO THE ARCHITECT.

ALL CONTRACTORS MUST COMPLY WITH ALL CODES AND BYLAWS AND OTHER AUTHORITIES HAVING JURISDICTION OVER THE WORK.

DO NOT SCALE DRAWINGS.

THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION UNTIL SIGNED BY THE ARCHITECT.

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NO.	ISSUED FOR	DATE
NO.	ISSUED FOR APPROVAL	21/11/22
NO.	ISSUED FOR CONSULTANTS	08/11/22
NO.	ISSUED FOR REVIEW	10/28/21
NO.	ISSUED FOR REVIEW	05/24/21
NO.	ISSUED FOR REVIEW	03/02/21
NO.	REVISION	DD/MM/YY DATE

CONSULTANTS:

- STRUCTURAL -
- MECHANICAL -
- ELECTRICAL -
- LANDSCAPING -

PROJECT

**357-361-363  
PRESTON ST**

DRAWING

**SITE PLAN**

DATE	27/01/2021	JOB No.	2018
SCALE	1 : 100	REVISION	
DRAWN BY	J.G	DRAWING	
REVIEWED BY	R.W.		<b>SP01</b>