

Zoning Confirmation Report

2140 Baseline Road

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1.0 Overview

1.1 Introduction

Fotenn Consultants Inc. (“Fotenn”) has been retained by 2140 Baseline Ltd. to prepare a Zoning Confirmation Report in support of a Site Plan Control Revision application on the lands known municipally as 2140 Baseline Road in the City of Ottawa (the “subject property”). The Site Plan Revision proposes no increases to the building massing, building density, or underground parking garage. The Site Plan Revision only serves to formalize a revised lot boundary with the adjacent lands and recognize the improved at-grade site circulation and landscaping arising from this change.

1.2 General Site Information

Legal Description	PT LTS 48,49 PL 3922, S SLATER ST, AS IN CR521893; T/W CR521893; OTTAWA
Zoning By-law (2008-250)	MC[2588] F(4.4) H(45)
City of Ottawa Official Plan (2022)	Outer Urban Transect; Mainstreet Corridor - Hub

1.3 Proposed Development

The subject lands have previously undergone various development approvals as the site has been the subject of several development applications since 2018, as follows:

- / Zoning By-law Amendment – Approved 2019 (D02-02-18-0057)
- / Site Plan Control – Approved 2020 (D07-12-18-0084)
- / Zoning By-law Amendment – Approved 2023 (D02-02-22-0113)
- / Site Plan Control Revision – Approved 2023 (D07-12-22-0164)
- / Lot Line Adjustment & Minor Variance Application – Approved July 16, 2024, pending appeal period
- / Site Plan Revision – Ongoing

Zoning By-law Amendment (D02-02-18-0057) sought relief from several zoning provisions relating to height, density, and vehicular parking, rezoning the property from “Mixed-Use Centre, Maximum FSI of 2.0, Maximum building height of 34 metres - MC F(2.0) H(34)” to “Mixed-Use Centre, Urban Exception 2588, Maximum FSI of 4.4, Maximum building height of 45 metres – MC [2588] F(4.4) H(45)”.

Site Plan Control Application (D07-12-18-0084) was originally submitted on May 28, 2019, and later revised in a subsequent version on December 16, 2019, which increased the number of residential units and parking spaces and no longer proposed the student residence function. The building shape, massing, and design were not revised. The application received final approval on April 9, 2020.

The overall proposal was to permit the development of a 14-storey mixed-use building consisting of a total of 271 dwelling units, 429.1 m² of ground-floor commercial-retail space fronting onto Baseline Road, and 1,013.2m² of amenity space. The building footprint was proposed to be 1,575.0 m² with a Floor Space Index (FSI) of 4.4. The

proposed development included 118 below-grade vehicular parking spaces accessed from Gemini Way, and 7 surface parking spaces.

Zoning By-law Amendment (D02-02-22-0113) was submitted on December 1, 2022, seeking relief from Section 64 of the Zoning By-law in relation to projections above the maximum permitted building height. The application sought to permit the rooftop indoor amenity area to project above the maximum permitted building height of 45 metres, as established by the previous Zoning By-law Amendment. The approved zoning exception limited the area of the indoor amenity space to 640m².

Site Plan Control Revision Application (D07-12-22-0164) sought to revise the previously-approved Site Plan Approval (D07-12-18-0084) so as to address minor changes to building amenity areas, floor layout, and materiality, including the 636m² indoor amenity area above the 14th storey.

The purpose of this **Site Plan Control Revision** application is to address changes resulting from a proposed Lot Line Adjustment in order to regularize the boundaries of lots within the block. As a result of the proposed changes, the previously-approved Site Plan has been adjusted to account for the land exchange, requiring a Revision to the existing Site Plan Approval on the subject property, through this application. As noted above, this Site Plan Control Revision contemplates no new changes to the building itself, which is advanced in the construction phase. The changes relate solely the at-grade conditions including site circulation and landscaping.

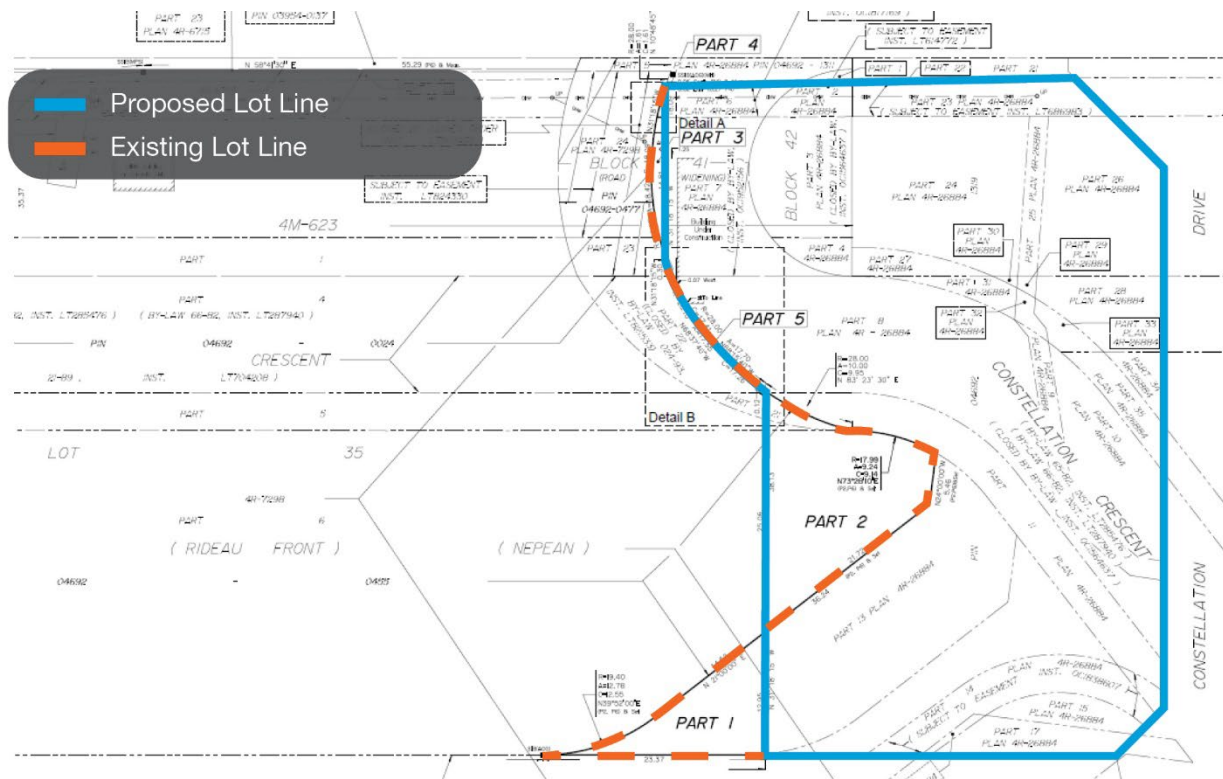


Figure 1: Draft R-Plan to be submitted as part of the proposed Lot Line Adjustment application, superimposed with the Existing and Proposed Lot lines on the site.

2.0 Zoning Compliance

2.1 City of Ottawa Comprehensive Zoning By-law (2008-250)

The subject property is primarily located within the Mixed-Use Centre (MC) Zone, Exception 2588, limited to 4.4 Floor Space Index and 45 metre building height – MC[2588] F(4.4) H(45). Following the forthcoming Lot Line Adjustment, a small portion of the site would be zoned MC F(2.0) H(34). No buildings are proposed for this portion of the lands subject to this zoning and therefore the height and FSI metrics are not impacted.

The purpose of the MC zone is as follows:

- (1) Ensure that the areas designated Mixed-Use Centres (Hubs) in the Official Plan accommodate a combination of transit-supportive uses such as offices, secondary and post secondary schools, hotels, hospitals, large institutional buildings, community recreation and leisure centres, day care centres, retail uses, entertainment uses, service uses such as restaurants and personal service businesses, and high- and medium-density residential uses;
- (2) allow the permitted uses in a compact and pedestrian-oriented built form in mixed-use buildings or side by side in separate buildings; and,
- (3) impose development standards that ensure medium to high profile development while minimizing its impact on surrounding residential areas.



Figure 2: Aerial zoning map of the subject property.

The following uses are permitted in the MC zone:

Residential Uses		
/	apartment dwelling, low rise	
/	apartment dwelling, mid rise	
/	apartment dwelling, high rise	
/	dwelling unit	
/	group home	
/	rooming house	
/	stacked dwelling	
/	townhouse dwelling	
/	planned unit development	
Non-Residential Uses		
/	amusement centre	/ production studio
/	animal care establishment	/ recreational and athletic facility
/	animal hospital	/ research and development centre
/	artist studio	/ residential care facility
/	bank	/ restaurant
/	bank machine	/ retail food store
/	bar	/ retail store
/	broadcasting studio	/ retirement home
/	cinema	/ retirement home, converted
/	click and collect facility	/ school
/	community centre	/ service and repair shop
/	community health and resource centre	/ shelter
/	convenience store	/ sports arena
/	court house	/ storefront industry
/	day care	/ technology industry
/	diplomatic mission	/ theatre
/	drive-through facility	/ training center
/	emergency service	/ urban agriculture
/	home-based business	
/	home-based day care	
/	hospital	
/	hotel	
/	instructional facility	
/	library	
/	medical facility	
/	municipal service centre	
/	museum	
/	nightclub	
/	office	
/	parking garage	
/	parking lot	
/	payday loan establishment	
/	personal brewing facility	
/	personal service business	
/	place of assembly	
/	place of worship	
/	post office	
/	post-secondary educational institution	

The table below evaluates the proposed development against the provisions of the MC[2588] F(4.4) H(45) zone:

Zoning Mechanism	Requirement	Provided	Compliance
Lot Area (min)	No minimum	3,179.3 m ²	Yes
Lot Width (min)	No minimum	53.8 metres	Yes
Front and Corner Side Yard Setback (minimum)	Abutting the Rapid Transit Corridor: 2 m Other Cases: No minimum	3.3 metres	Yes
Interior Side Yard Setback (minimum)	Abutting the Rapid Transit Corridor: 2 m Other Cases: No minimum	0 metres	Yes

Rear Yard Setback (minimum)	Abutting the Rapid Transit Corridor: 2 m Other Cases: No minimum	0 metres	Yes
Floor Space Index (maximum)	4.4	4.5	4.3
Building Height (minimum)	Within 400 m of a rapid transit station: 6.7 m Other Cases: No minimum	45 metres	Yes
Building Height (maximum)	45 metres	45 metres	Yes
Width of Landscaped Area (minimum)	No minimum, except that where a yard is provided and not used for required driveways, aisles, parking, loading spaces or outdoor commercial patio, the whole yard must be landscaped	Complies	Yes
Setback of refuse collection from a public road – Section 110(3)(a)	9.0 metres	3.0 metres	No* *Minor Variance approved; pending appeal period
Residential Parking (minimum)	Exception 2588; By-law 2019-362 0.2 spaces / dwelling unit	Residential: 53 required; 137 provided (0.51/du)	Yes
Residential Parking (maximum)	Area C (Schedule 1) 1.75 per dwelling unit (combined total of resident and visitor parking)	Visitor: 26 required; 38 provided (0.14/du)	Yes
Visitor Parking (minimum)	Exception 2588; By-law 2019-362 No parking for the first 12 units. 0.1 spaces per dwelling unit	Retail: 0 required; 0 provided Total: 79 required; 175 provided (19 surface; 156 underground)	Yes
Commercial / Retail Parking (minimum)	Commercial Unit #1 (0 required for Mixed Use <1,500m ² , Sec. 101(4)(d)) Commercial Unit #2 (0 required for Mixed Use <1,500m ² , Sec. 101(4)(d))		Yes
Bicycle Parking	Mid-high rise apartment building: 0.5 per dwelling unit	134 required; 286 provided	Yes
Amenity Area	6 m ² per dwelling unit (50% of total required area must be communal): 1,602 m ² required, at least 801 m ² communal	Amenity area breakdown (communal): L01: 699.0 m ² L15 (Indoor): 636.0 m ² L15 (Outdoor): 310.9 m ² Total: 1,645.9 m²	Yes

2.1.1 Minor Variance

A Minor Variance application was submitted with the Lot Line Adjustment application upon direction from City of Ottawa planning staff, seeking relief from Section 110(3)(a) of the Zoning By-law. The proposed siting of the garbage staging area is setback 3 metres from the Gemini Street frontage of the property, representing a 6-metre deficiency from the Zoning By-law requirement of 9 metres.

A Planning Rationale demonstrating the ability for this variance to satisfy the Four Tests of the *Planning Act* was submitted with the Minor Variance application. The staging area will be substantially screened by landscaping and masonry signage, and only occupied by refuse bins for a brief period on collection days. It is additionally noted that this does not reflect a new development condition, as the refuse staging area was generally located in the same area on previously approved plans, however the compliance issue was not identified until this review.

The applications for Lot Line Adjustment and Minor Variance were approved on July 16th, 2024, and are awaiting the lapsing of the statutory appeal period on August 15, 2024.

Conclusion

It is determined through this Zoning Confirmation Report that the proposed Site Plan Revision is generally aligned with previous Site Plan Control approvals and Zoning By-law Amendment approvals for the lands. The changes contemplated do not increase the building massing or site density, and instead serve to establish a more conventional lot fabric and site circulation framework for the lands. The only zoning compliance issue identified is a condition that was previously shown on approved plans, and was therefore formalized through a Minor Variance to be permitted, pending the lapse of the appeal period.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,



Evan Saunders, M.P.L.
Planner



Scott Alain, MCIP RPP
Senior Planner

Appendix A: Zoning Confirmation Report Checklist

5. Annex 1 - Zoning Confirmation Report Checklist

A. Project Information			
Review Date:	April 15, 2024	Official Plan designation:	Mainstreet Corridor/ Hub
Municipal Address(es):	2140 Baseline Road	Legal Description:	Part of Blocks 41 and 42, Registered Plan 4M-623 and Part of Lot 35, Concession 2 (Rideau Front), Geographic Township of Nepean, City of Ottawa
Scope of Work:	Revising approved Site Plan to reflect changes resulting from lot line adjustment, including the garbage enclosure shifting closer to the lot line.		
Existing Zoning Code:	MC[2588] F(4.4) H(45)	By-law Number:	2008-250
Schedule 1 / 1A Area:	Area C / Area Z	Overlays Applicable¹:	

¹ Mature Neighbourhoods Overlay, Floodplain Overlay, and/or Heritage Overlay.

B. Zoning Review			
For Zoning By-law Amendments, please use the proposed zone and subzone requirements, if different than existing.			
Proposed Zone/Subzone (Zoning By-law Amendments only):	MC[2588] F(4.4) H(45)		
Zoning Provisions ¹	By-law Requirement or Applicable Section, Exception or Schedule Reference	Proposal	Compliant (Y/N)
Principal Land Use(s)	Apartment dwelling, high-rise	Apartment dwelling, high-rise	Yes
Lot Width	N/A	53.8 metres	Yes
Lot Area	N/A	3,179.3m ²	Yes
Front Yard Set Back²	Abutting the Rapid Transit Corridor: 2 m Other Cases: No minimum	3.3 metres	Yes
Corner Side Yard Setback	Abutting the Rapid Transit Corridor: 2 m Other Cases: No minimum	3.3 metres	Yes
Interior Side Yard Setback	Abutting the Rapid Transit Corridor: 2 m Other Cases: No minimum	0 metres	Yes
Rear Yard Setback	Abutting the Rapid Transit Corridor: 2 m Other Cases: No minimum	0 metres	Yes



Lot Coverage Floor Space Index (F.S.I.)	4.4	4.3	Yes
Building Height³	45 metres	45 metres	Yes
Accessory Buildings Section 55	N/A	N/A	Yes

Projections into Height Limit Section 64	indoor rooftop amenity area is permitted to project above the maximum height limit provided the maximum height of the amenity space does not exceed 5m and its enclosed area does not exceed 640m ²	<5 metres; <640m ²	Yes
Projections into Required Yards Section 65	N/A	N/A	Yes
Required Parking Spaces Section 101 and 103	Residential: Exception 2588 0.2 spaces / unit Retail: 0 required (<1500m ²)	Residential: 137 (0.51) Retail 0 (0.0)	Yes
Visitor Parking spaces Section 102	Visitor: 0.1 spaces / unit	Visitor: 38 (0.14)	Yes
Size of Space Section 105 and 106	2.6m x 5.2	2.6m x 5.2m	Yes
Driveway Width Section 107	6.0 metres	7 metres	Yes
Aisle Width Section 107	6.7 metres	7 metres	Yes
Location of Parking Section 109	N/A	N/A	Yes
Refuse Collection Section 110	All outdoor refuse collection and refuse loading areas contained within or accessed via a parking lot must be: located at least 9.0 metres from a lot line abutting a public street	3 metres	No
Bicycle Parking Rates Section 111	0.5 spaces / unit	286 spaces (1.07)	Yes
Amenity Space Section 137	1,602m ²	1,645.9m ²	Yes
Other applicable relevant Provision(s)			

¹ This template represents a small selection of applicable provisions. Please consider the lot's geography (i.e. corner/through lot, proximity to water, inside/outside Greenbelt) and proposed land use (i.e. drive through operation, outdoor commercial patio, Planned Unit Development, long semi) and consult the by-law to determine which other sections of the By-law must be met. This can be attached in a separate document.

² Note that different performance standards apply to low-rise residential development inside the Greenbelt. Please reference Section 144 for these standards, where applicable.

³ This includes maximum building height, minimum building height and stepback provisions, where they exist

E. Comments / Calculations

