Planning Rationale

And

Environmental Impact Statement

Report

101 Wurtemburg Street, Ottawa

March 28, 2011

Prepared by:

Claridge Residential Inc.

2001-210 Gladstone Avenue

Ottawa K2P 0Y6

101 Wurtemburg Street:

Planning Rationale and Environmental Impact Statement Report

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INTRODUCTION

The following is a Planning Rationale and Environmental Impact Statement Report prepared by Claridge Homes, in support of applications by Claridge Residential Inc. for Site Plan Control and a Zoning Amendment, to allow a residential development at 101 Wurtemburg Street, consisting of a high-rise apartment building with underground parking.

Planning Rationale

In addition to providing the existing site context and an overview of the proposed development, this Report will review the applicable planning policy and regulatory documents, including:

- The Provincial Policy Statement 2005 (PPS)
- The City of Ottawa Official Plan 2003
- Amendments to the Official Plan 2008
- City of Ottawa Comprehensive Zoning Bylaw 2008-250

In order to redevelop the property, a Site Plan Control Application is required. As part of that process, the setback from the Rideau River will be established, as it is less than the setback specified in the Official Plan and Zoning Bylaw. Alternate setbacks will be considered by the City in consultation with the Conservation Authority, in accordance with Official Plan policies.

The proposed development requires relief from the existing Zoning provisions with respect to the Floor Space Index. The Zoning specifies a Floor Space Index (FSI) of 2.5 maximum, and the proposal requests the removal of the FSI and a height limit instead. This will be requested by a site specific zoning amendment application.

The purpose of the Planning Rationale portion of this report is to demonstrate the appropriateness of the proposed Zoning Amendment and Site Plan Control applications, given the project's location within the City of Ottawa and the applicable policy and regulatory framework.

Environmental Impact Statement (EIS)

An EIS is required when development is proposed adjacent to environmentally designated lands or other non-designated features of the City's natural heritage system. In accordance with the Provincial Policy Statement and the Official Plan, the basic principle of the EIS is that:

> At minimum, the EIS must demonstrate that the proposed development or site alteration will have no negative impacts on the values or ecological functions for which the triggering environmentally significant lands or natural heritage features have been identified.

Although the subject site at 101 Wurtemburg Street is not designated as having a feature, the site is adjacent to Rideau River; and the Rideau River corridor is a recognized important component of the City's natural heritage feature system.

The proponent has pre-consulted with City of Ottawa staff and Rideau Valley Conservation Authority staff to confirm the requirements of this report with regard to the reduced setback request, and that the EIS format is an appropriate format to present the information.

Policy 4.7.3.2 of the Official Plan provides minimum setbacks for development from the water's edge, top of embankment and high floodplain contour. Policy 4.7.3.5 of the Official Plan (Policy 4.7.3.7 of the 2008 Official Plan under appeal) states that where an exception to these setbacks is requested, the City in consultation with the Conservation Authority will consider alternate setbacks on the basis of a study submitted by the applicant that addresses:

- Slope of the bank and geotechnical considerations related to unstable slopes, as addressed in Council's Slope Stability Guidelines for Development Applications in the City of Ottawa 2004;
- Natural vegetation and the ecological function of the setback area;
- The nature of the abutting water body, including the presence of a floodplain;
- The need to demonstrate that there will be no negative impacts on adjacent fish habitat.

The EIS portion of this report will show that there are no negative impacts on the ecological functions of the natural heritage feature (Rideau River corridor) and that the reduced setback to the water's edge is appropriate after consideration of the four items listed above.

PLANNING RATIONALE

1.0 SITE DESCRIPTION and EXISTING CONDITIONS

The subject property is located on the east side of Wurtemburg Street, at the intersection of Clarence and Wurtemburg Streets in Ottawa. The site is 16.6 metres in width and approximately 47 metres deep, and backs onto the Rideau River.

The property is an existing lot in an established urban setting, with a very large 12 storey apartment building immediately adjacent on the south side, and a 3 storey embassy building on the north side. The surrounding area has likely been urbanized for almost a century.

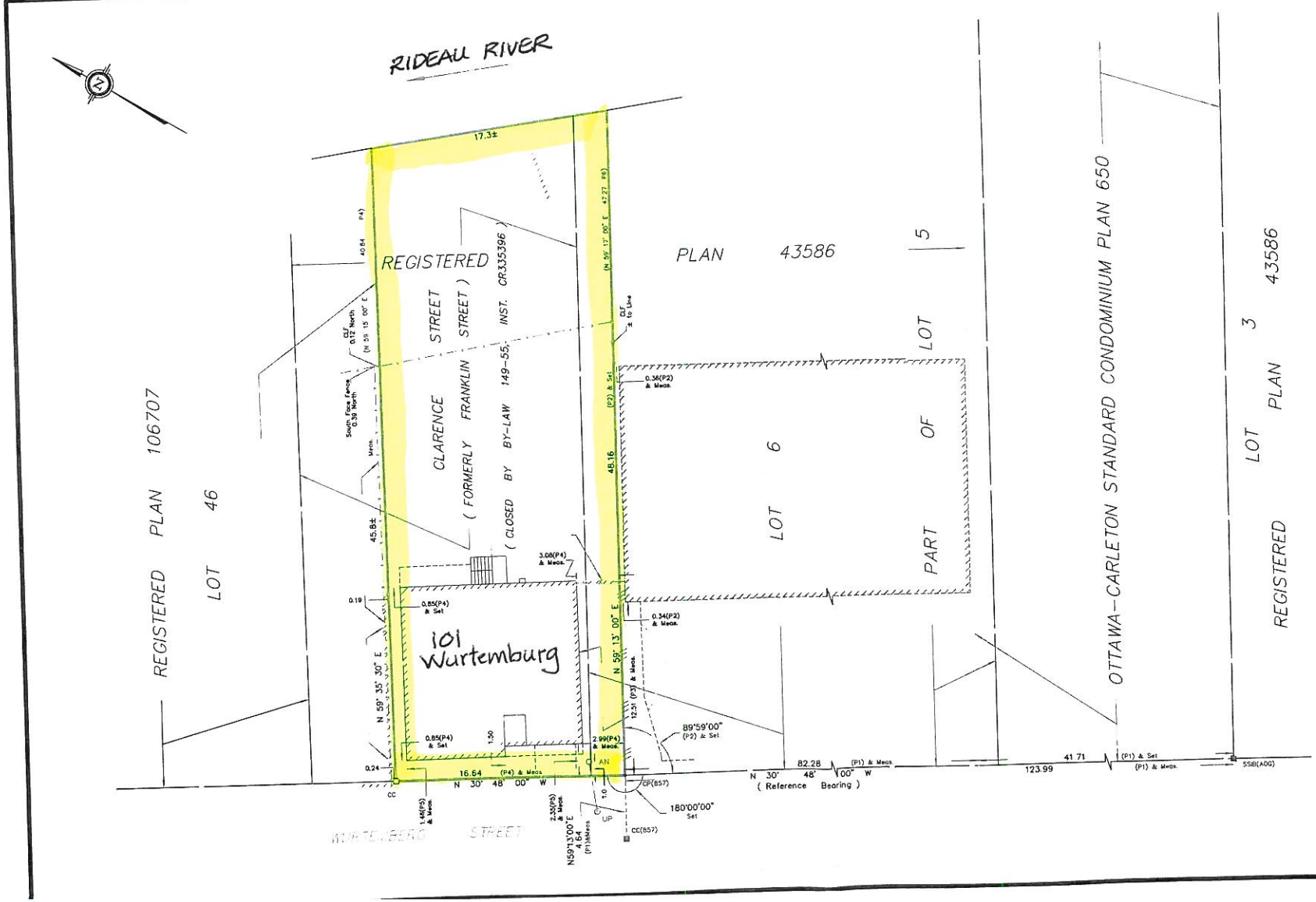
The front section of the property is relatively flat, at street level, and is occupied by the abandoned residence and driveway which are very close to the street (i.e. approximately 1.5 metre front yard setback). At the rear of the building is a flat section of yard with common grass, where a former in-ground swimming pool has been filled in, before the property drops steeply toward the Rideau River. At the top of the slope is a chain link fence that prevents access onto the slope. (Access is possible, however, from the property to the south where there is no fence at the crest of the slope.) The slope is vegetated with very low quality trees, while the ground is mostly bare clay with evidence of added fill, and almost no ground vegetation. The slope is very steep and difficult to walk on, as the soil is easily displaced.

James B. Lennox & Associates Inc., Landscape Architect, was retained to review the existing ecology of the site. For the sloped embankment, Lennox states:

The existing vegetation is emergent plant material characteristic of fill or a heavy clay soil. The trees are 99% 200 – 400 mm caliper Manitoba Maple/ Acer negundo and erratic Norway Maple/Acer platanoides 25-50 mm in caliper. The ground plane is 99% void of ground cover and is largely exposed clay soil.

The site has approximately 17.3 metres of direct frontage onto the Rideau River. Claridge Homes retained G. A. Packman & Associates to review the subject property with regard to fish habitat. The report is titled "Claridge Homes Wurtemburg Street Condominium Development Ottawa, Ontario" dated April 19, 2010.

The description of the existing condition states that *From Photos 12, 13, and 16, it is apparent that the shoreline has a substantial component that is comprised of broken concrete and granular material. Photos 14 and 15 show the shallow littoral zone where the substrate is comprised of silty material. Some submergent aquatic vegetation and a minor amount of large woody debris were present.*



SURVEYOR'S REAL PROPERTY REPORT

PART 1 Plan of

PART OF LOT 6

(EAST WURTEMBERG STREET) **AND**

PART OF CLARENCE STREET

FORMERLY FRANKLIN STREET

(As Closed by By-Law 149-55, Inst. CR335396)

REGISTERED PLAN 43586

CITY OF OTTAWA

Surveyed by Annis, O'Sullivan, Vollebekk Ltd.

Scale 1 : 200

8.0 6.0 4.0 2.0 0 4 8 Metres

Metric

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Surveyor's Certificate

I CERTIFY THAT:

1. This survey and plan are correct and in accordance with the Surveys Act, Surveyors Act, the Land Titles Act and the regulations made under them.
2. The survey was completed on the 24th day of March, 2008.

Date

Edward M. Lancaster
Ontario Land Surveyor

PART 2

THIS PLAN MUST BE READ IN CONJUNCTION WITH SURVEY REPORT DATED MARCH 27, 2008

ANNIS, O'SULLIVAN, VOLLEBEKK LTD. grants to Claridge Residential Inc. ("The Client"), their solicitors, mortgagees, and other related parties, permission to use original, signed, s copies of the Surveyor's Real Property Report in transactions involving Th

Notes & Legend

Denotes		Survey Monument Planted
	-	Survey Monument Found
SIB	-	Standard Iron Bar
SSIB	-	Short Standard Iron Bar
IB	-	Iron Bar
CC	-	Cut Cross
CP	-	Concrete Pin
Meas	-	Measured
(WIT)	-	Witness
CLF	-	Chain Link Fence
C/L	-	Centreline
O AN	-	Anchor
O UP	-	Utility Pole
(AOG)	-	Annis, O'Sullivan, Vollebekk Ltd
(P1)	-	Plan 4R-16415
(P2)	-	Plan by (857), dated August 10, 1982
(P3)	-	Plan by (725), dated October 17, 1963
(P4)	-	Plan by (647), dated June 9, 1975
(P5)	-	Field Notes by (725), dated June 28, 1962
(P6)	-	Registered Plan 43586

ASSOCIATION OF LAND SURVE PLAN SUBMISSIO 168426

THIS PLAN IS NOT V IT IS AN EMBOSSED COPY ISSUED BY TH IN ACCORDANC Regulation 1026 Se

Bearings are astronomic, derived from part of the easterly limit of Wurtemberg Street, shown to be N 30°48'00" W on Registered Plan 43586.

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Nepean, Ont. K2E 7S6
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Email: Nepean@aovltd.com
Ontario Land Surveyors

Job No. 9095-08 Claridge Pt 18 Pt Clarence St RP43

Aerial view of 101 Wurtemburg Street in between the 3 storey embassy to the north and 12 storey apartment building to the south., with Rideau River beyond. (from Bing.com)

2.0 PROPOSED DEVELOPMENT

2.1 Overall Description

The proposed project consists of a complete redevelopment of the site. The existing house will be demolished, and a new 18 storey residential apartment building will be constructed with multiple basement levels. There will be a total of 68 new apartments, which will be sold as condominium units. As part of the excavation for the building's basement, the unstable slope adjacent to the river will be removed and reconstructed as a reinforced Mechanically Stabilized Earth system, as recommended by the slope stability analysis undertaken by Golder and Associates Ltd.

The basement parking structure will extend to the front property line with the tower above being setback about 5 metres from Wurtemburg Street. At the rear of the property, the basement garage will project out of the ground by several metres because of the difference in grade elevation between the front and rear of the property. The proposed rear yard setback from the water's edge

to the basement is 10 metres, with the main tower portion of the building being setback an additional 4.6 metres.

2.2 Construction

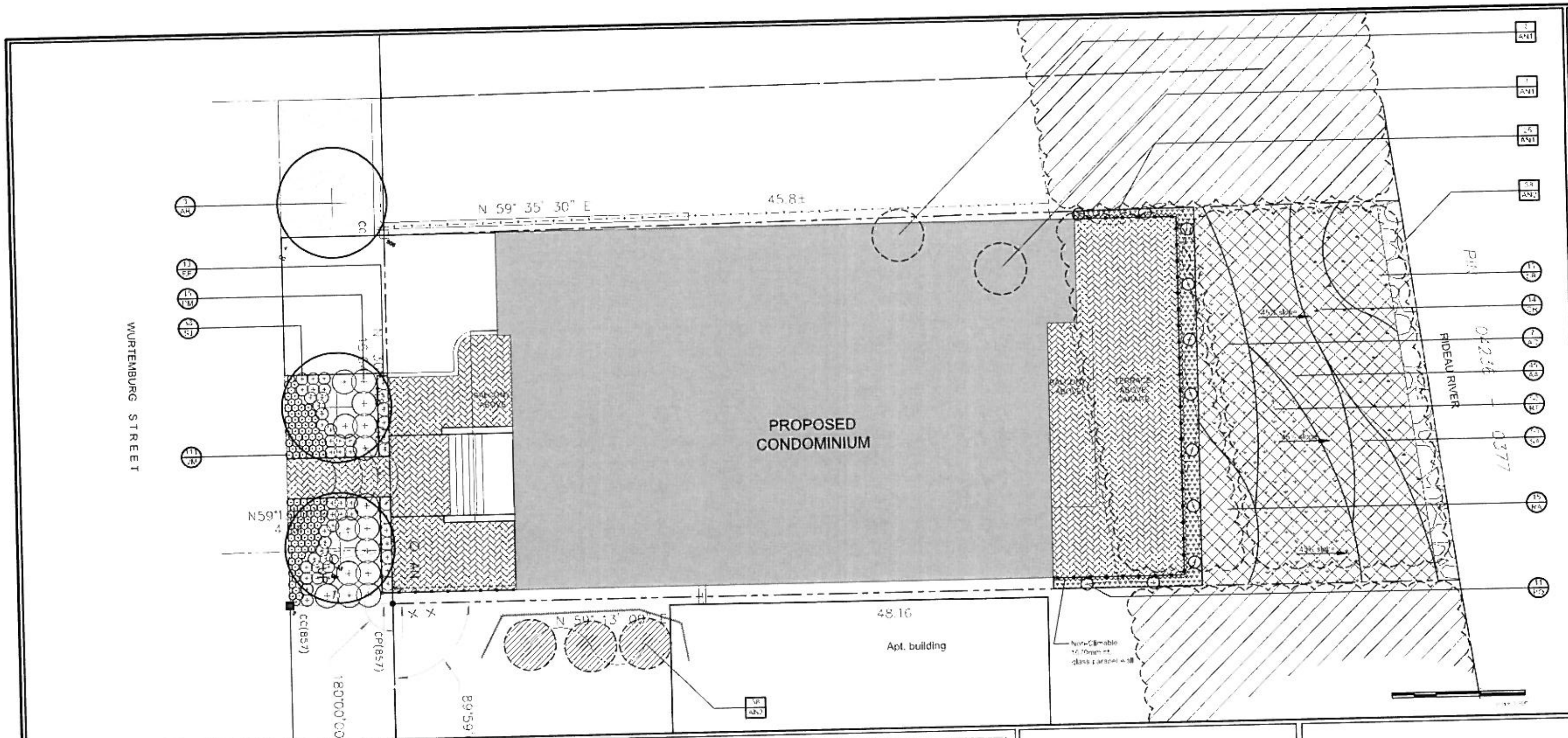
The 18 storey apartment building will be a reinforced concrete structure with either deep foundations that extend to the bedrock or a reinforced raft foundation, depending on the Geotechnical recommendations. The construction of the building will utilize conventional construction techniques. Extra care will be taken to ensure that the reconstructed slope is not adversely affected during the construction, either by over-stressing or burdening, or with debris and runoff.

2.3 Landscaping

The face of the reconstructed slope will use topsoil as a medium to support the re-vegetation of the slope, which is desirable for aesthetic, as well as ecological functions. The existing low quality vegetation will be removed as part of the slope excavation. In order to enhance and rehabilitate the ecological buffer, the new slope will be planted with native species of local provenance, in accordance with the Landscape Architect's direction.

The common terrace for the building will be located on the roof of the parking garage at the same level as Wurtemburg Street, and will be hard landscaped as an amenity area for the residents of the building, overlooking the Rideau River.

The area between the top of the reconstructed slope and the basement will be landscaped to visually buffer the basement walls from the river, and to provide additional vegetative cover for the greenway corridor along the river.



TREE CONSERVATION NOTES:

1. The only significant trees on site are Manitoba Maples (Acer negundo) which are invasive, short-lived and do not support a bio-diverse habitat. There is no vegetative undergrowth beneath the Manitoba Maples.

2. Considering the nature of the proposed development, the existing slope will have to be reconstructed to ensure slope stability along the Rideau River.

3. The existing trees will therefore be replaced with the proposed native planting scheme.

4. There are no Butternut trees (Juglans cinerea) on the site.

GENERAL NOTES:

1. It is the responsibility of the appropriate contractor or offical to report any errors, omissions or discrepancies on this plan with actual site conditions to the Landscape Architect before proceeding with construction.

2. The contractor is to notify all utility companies and authorities prior to any excavation and ascertain locations of underground services.

3. The contractor is to reinstate all areas and items damaged as a result of construction activity.

4. The contractor is to comply with all pertinent codes and by-laws.

5. The contractor is to maintain a positive surface runoff throughout the entire construction period.

6. The Landscape Architect is not responsible for subsurface conditions.

7. The contractor is to identify all existing trees to remain on site with the Landscape Architect prior to construction.

8. The contractor is to stake the proposed location of all plant material in conjunction with the Landscape Architect prior to excavation.

9. Minimum distances for selected deciduous trees are as follows:
- Building Foundations 4.5m
- Sidewalks 1.5m
- Public Streets 2.5m
- Underground Infrastructure 2.0m

10. All trees within 1m of underground utility trenches are to be excavated by hand.

11. Remove all protective wrapping from tree trunks after installation.

12. Staking of trees shall only be performed if necessary.

13. Ensure that mulch is pulled back a min. distance of 75mm from base of tree trunk.

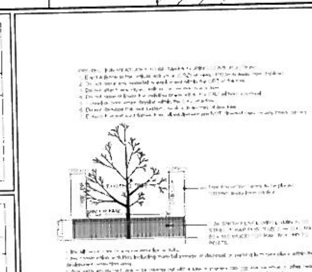
14. Deciduous trees to be planted on private property 450mm inside of property line.

EXISTING TREE LIST

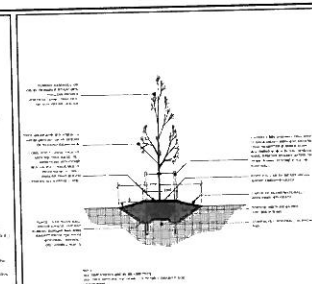
KEY	No.	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
TREES						
AN1	25	Acer negundo	Manitoba Maple	200-300mmø	FAIR	SCATTERED
AN2	36	Acer negundo	Manitoba Maple	100-150mmø	FAIR	SCATTERED
AS	1	Acer saccharum	Sugar Maple	400mmø	GOOD	OFF SITE

PROPOSED PLANT LIST

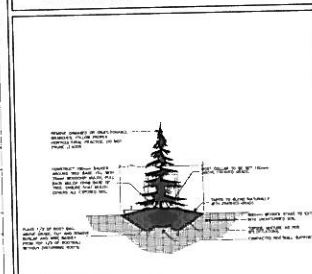
KEY	No.	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
TREES						
AR	3	Acer rubrum "Columnare"	Columnare Red Maple	60mmø	B&B	600mm o.c.
AC	3	Amelanchier canadensis	Serviceberry	60 mm cal.	B&B	
CA	1	Cornus alternifolia	Pagoda Dogwood	2000mm ht.	Strong ball	
PS	2	Pinus sylvestris	Scots Pine	2000mm ht.	B&B	
SHRUBS						
AA	45	Amelanchier alnifolia	Saskatoon Berry	2 gal. pot	B.R.	900mm o.c.
AV	7	Amelanchier canadensis	Serviceberry	1000 ht.	B.R.	2000mm o.c.
CR	34	Cornus racemosa	Gray Dogwood	2 gal. pot	B.R.	1500mm o.c.
PM	35	Pinus mugo "Mugo"	Dwarf mugo pine	800mm sp.	B.R.	1000mm o.c.
RT	58	Rhus typhina	Staghorn Sumac	800 mm ht.	B.R.	800 mm o.c.
RA	15	Rosa acicularis	Prickly Wild Rose	2 gal. pot	B.R.	1000mm o.c.
SB	13	Salix bebbiana	Bebb's Willow	1 gal. pot	B.R.	1000mm o.c.
SJ	38	Spiraea japonica "Little Princess"	Little Princess Spirea	300mm pot	B.R.	500mm o.c.
SA	90	Symphoricarpos albus	Snowberry	2 gal. pot	B.R.	500mm o.c.
VINES						
LF	33	Euonymus fortunei 'Coloratus'	Wintercreeper	2 gal pot	Potted	train up fence
PQ	11	Parthenocissus quinquefolia	Virginia Creeper	2 gal pot	Potted	train up wall
PERENNIAL						
VM	111	Vinca Minor	Periwinkle	cell pack	Potted	300mm o.c.



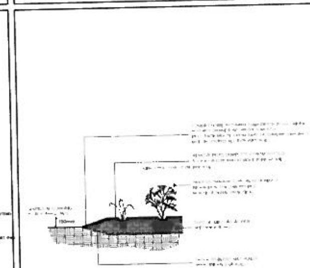
TREE PROTECTION FENCE
(TEMPORARY DURING CONSTRUCTION)



DECIDUOUS TREE PLANTING



CONIFEROUS TREE PLANTING



SHRUB AND PERENNIAL PLANTING

Client: CLARIDGE HOMES

Location Plan

Consultants: DOYLA ARCHITECTURE & DESIGN

Legend:
- Existing Trees or Area of Trees To Be Removed
- Existing Tree or Area of Trees To Remain
- Proposed Deciduous Tree
- Proposed Shrubs, Vines, Perennials
- Proposed Sod
- Proposed Ornamental Fence
- Proposed Non-climbable 1070mm ht. glass parapet wall
- Proposed "Corfstone" Landscape cable frame wall support
- Proposed Unit Concrete Pavers
- Proposed Native Shrub Planting Area
- Proposed Mix of Native Grasses "Pickseed Nature Native Pro Riparian Mix"
- Proposed Mix of Native Grasses "Pickseed Nature Native Pro Native Slope Mix"
- Proposed Cedar Mulch
- Proposed Rip Rap
- Tree Protection Fence

No.	Revision	Date	By
3	RE-ZONING & SITE PLAN APPROVAL	18/02/2011	A
2	FOR DISCUSSION & REVIEW	15/02/2011	A
1	WORKING DRAWING FOR DISCUSSION	28/01/2011	C

JAMES B. LENNOX & ASSOCIATES INC.
LANDSCAPE ARCHITECTS
Tel. (613) 723-5166

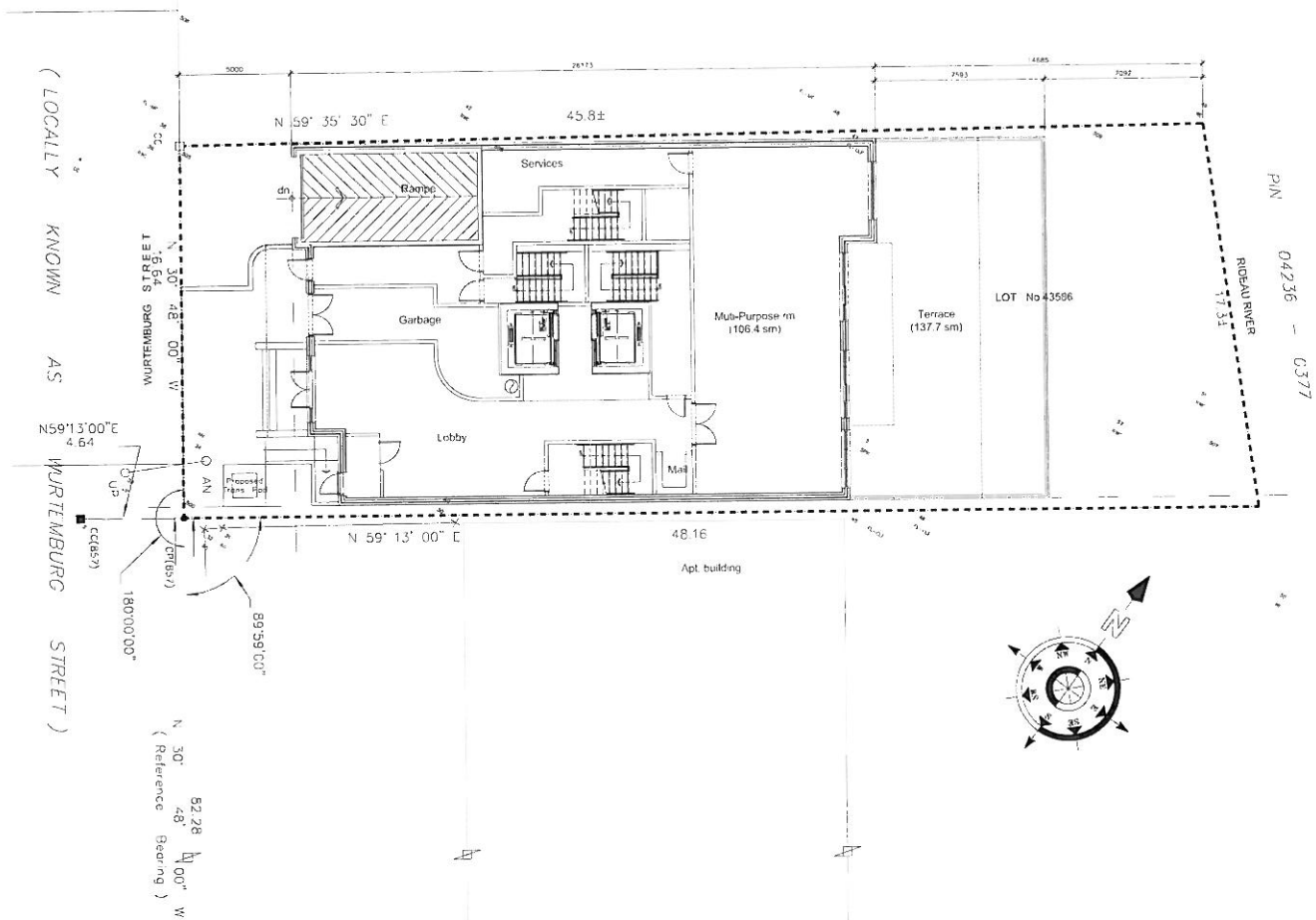
Project: 101 Wurtemburg, Ottawa

Drawing: LANDSCAPE PLAN & TREE CONSERVATION REPORT

Stamp: ONTARIO ASSOCIATION OF LANDSCAPE ARCHITECTS — JAMES B. LENNOX

Drawn By: V. PORTER
Checked By: JAMES LENNOX
Scale: SEE PLAN
Date: February 2011
Project No.:
Drawing No.: L.1

LOT No 106707



Civil Engineers

Structure

NOT FOR CONSTRUCTION

NO	DATE	REVISION

SCEAU / S.A.

CLIENT

ARCHITECTE

DCYSA ARCHITECTURE & DESIGN

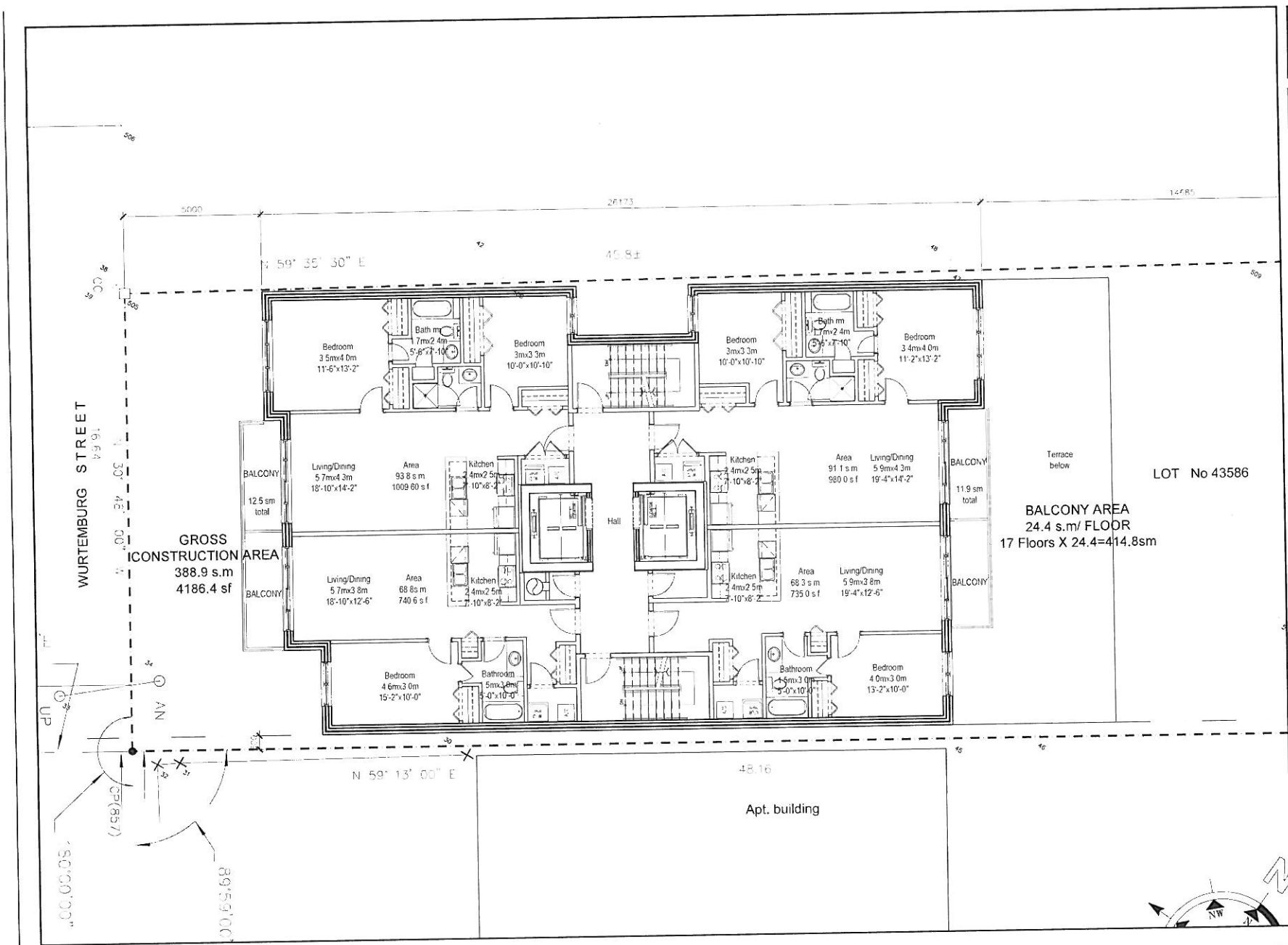
NO PROJET 6511

PROJET

TITRE DU DESSIN / DRAWING TITLE

Ground Floor

DATE	DESSINÉ PAR / DRAWN BY
01 03 2011	##
ÉCHELLE / SCALE	VÉRIFIÉ PAR / CHECKED BY
INDIQUÉE	##
NO DESSIN / DWG NUMBER	REVISION
####	####



Notes générales / General notes

1. Les dimensions sur ces documents doivent être lues et non mesurées.
1. The dimensions on these documents must be read and not measured

Preliminaire NE PAS UTILISER POUR CONSTRUCTION

NO	DATE	REVISION

CLIENT

ARCHITECTE / ARCHITECT

DCYSA ARCHITECTURE & DESIGN

NO.PROJET / PROJECT NBR 6511

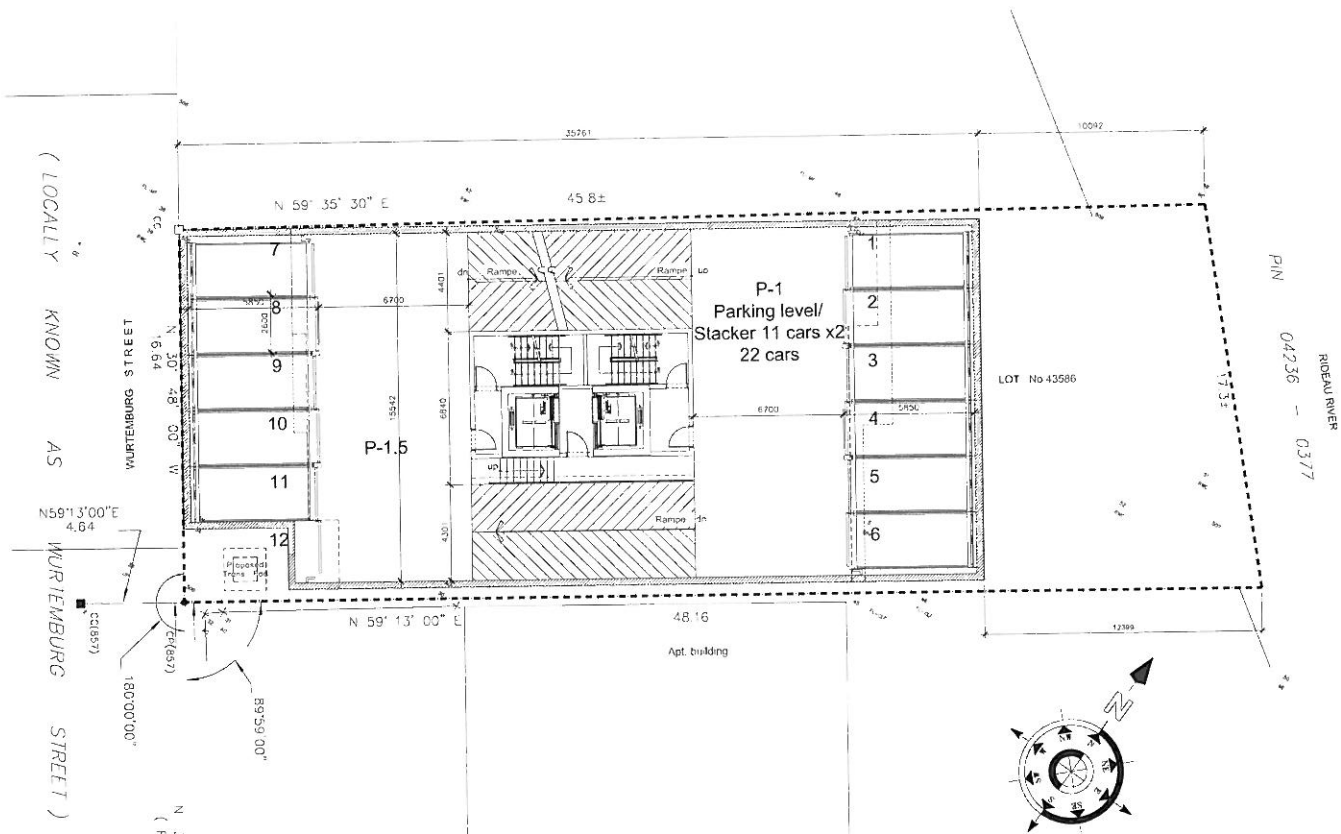
PROJET / PROJECT

101 Wurtemburg

TITRE DU DESSIN / DRAWING TITLE

2nd - 18th Floors

DATE	DESSINÉ PAR / DRAWN BY
01.04.10	TDZ
ÉCHELLE / SCALE	**VÉRIFIÉ PAR / CHECKED BY**
1:125	HY
NO DESSIN / DWG. NUMBER	**RÉVISION**
A203	A



Civil Engineers

Structure

NO	DATE	REVISION

CLIENT

ARCHITECTE / ARCHITECT

DCYSA ARCHITECTURE & DESIGN

NO PROJET / PROJECT NO

6511

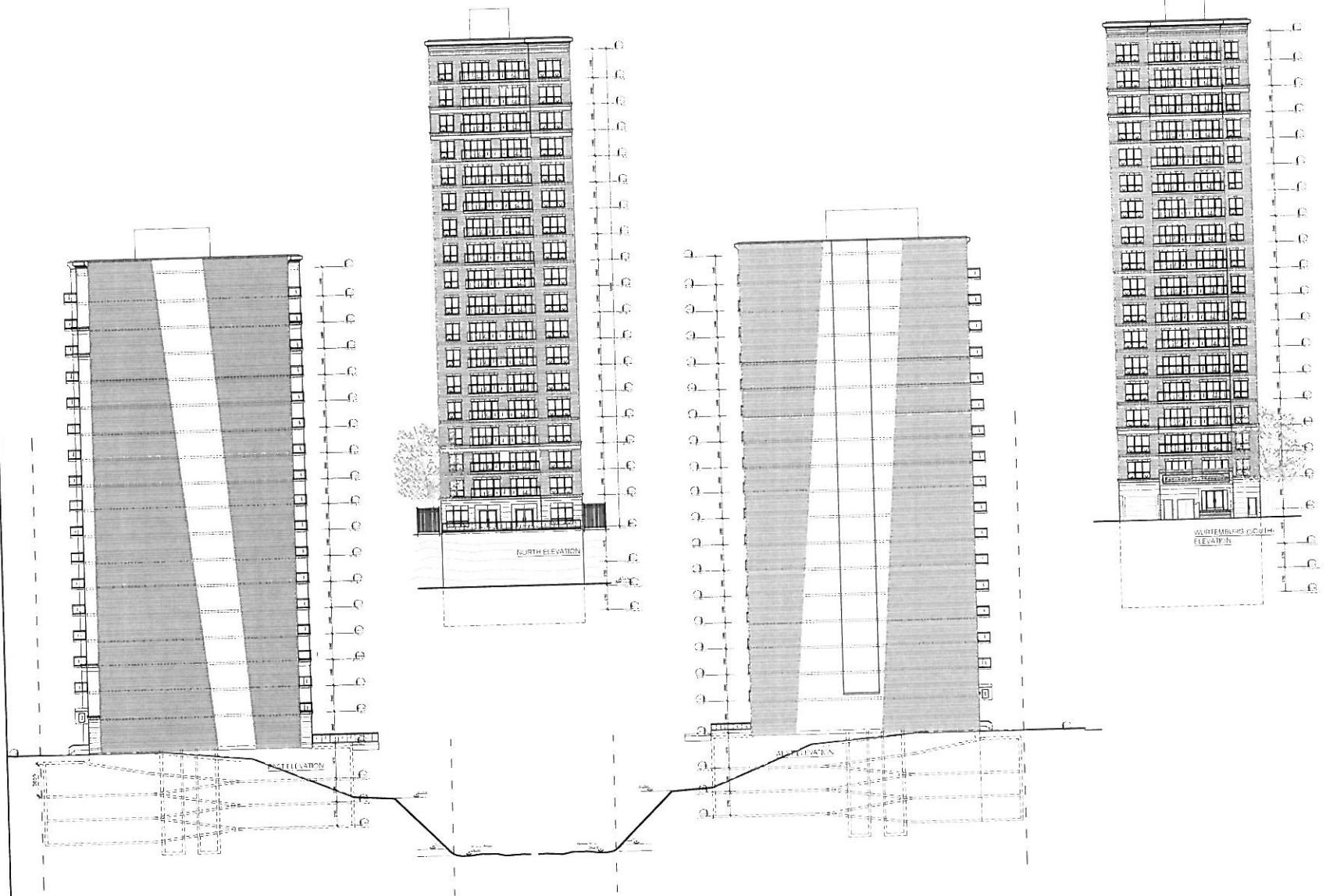
PROJET / PROJECT

########

TITRE DU DESSIN / DRAWING TITLE

Basement ####

DATE	DESSINE PAR / DRAWN BY
01 03 2011	##
ECHELLE / SCALE	VERIFIE PAR / CHECKED BY
INDIQUEE	##
NO DESSIN / DWG NUMBER	REVISION
####	####



Civil Engineers

Structure

NO	DATE	REVISION

SCEAU / SEAL

CLIENT

ARCHITECTE / ARCHITECT

DCYSA ARCHITECTURE & DESIGN

NUMÉRO / PROJECT NUMBER 6511

PROJET / PROJECT TDZ

TITRE DU DESSIN / DRAWING TITLE

ELEVATIONS

DATE	DESSINÉ PAR / DRAWN BY
03.01.2011	TDZ
ÉCHELLE / SCALE	VÉRIFIÉ PAR / CHECKED BY
1:200	HY
NO DESSIN / DRAWING NUMBER	REVISION
A400	A

View looking east along Clarence Street

3.0 SITE CONTEXT

The subject site is located on Wurtemburg Street, midway between Rideau Street and St. Patrick Street. The east side of Wurtemburg Street is characterized by high-rise apartment buildings varying in height from 12 to 21 storeys in height. The west side of Wurtemburg Street is predominantly low-rise (2 and 3 storey) residential uses in small apartment buildings or semi-detached dwellings. The MacDonald Gardens Park occupies a large portion of the west side of Wurtemburg Street.

North Immediately north of the subject site is an embassy building that is 3 storeys high on Wurtemburg Street frontage and 5 storeys high at the rear, adjacent to the river. The building is located about 6 metres away from the property line of the subject site.

View of subject site and Embassy building to the north

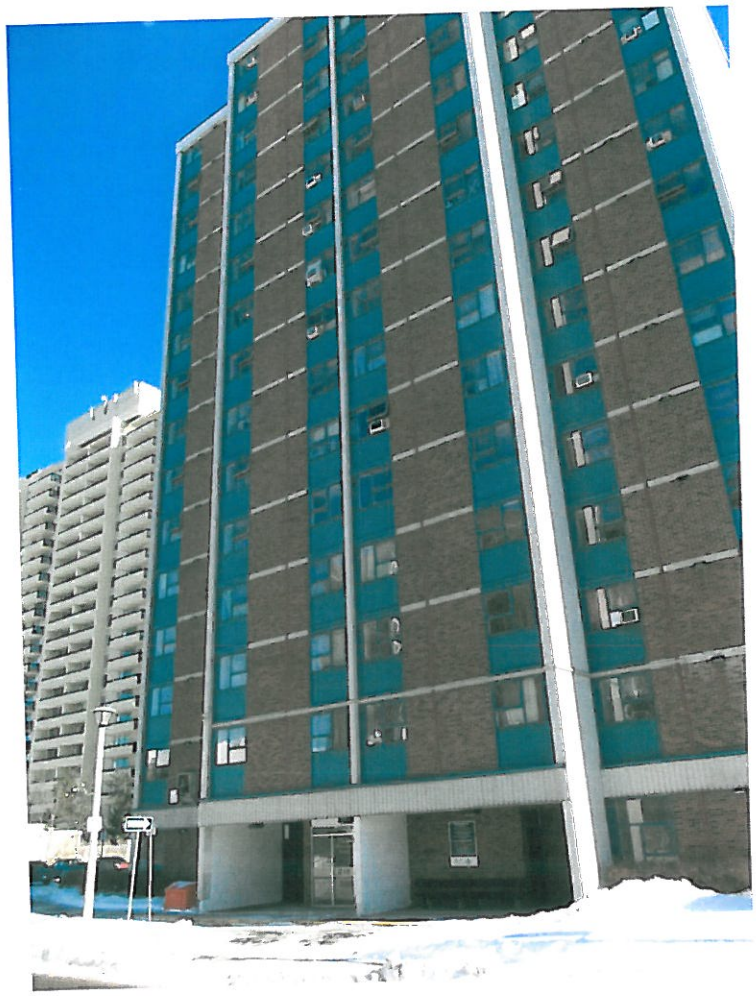
South To the south of the subject site is a massive 12 storey apartment building that dominates the Wurtemburg streetscape. The building is located only 0.3 metres south of the property line of the subject site.

Seigneury Apartment Building immediately adjacent to subject site on south side

Watergate Apartment Building further south on Wurtemburg Street

Bing Maps

Print this page in a more readable format: Click **Print** next to the upper-right corner of the map.



Apartment Building at northeast corner of Wurtemburg and Rideau Streets

East The Rideau River flows east of the site, and is about 12 metres lower than the rear yard of the subject site. The predominant landform feature of the property is the steep slope that rises steeply from the shore of river, with a gradient of about forty-five degrees to the horizontal.

West Clarence Street runs directly west of the site. (The subject site is located on part of the closed street.) In this area, Clarence Street is a residential street of 2 and 3 storey dwellings, many of which appear to have apartments or accessory units.

View west from Wurtemburg Street of MacDonald Gardens Park

Site Access and Transportation

The subject site is accessed only from Wurtemburg Street, for vehicular and pedestrian access. The most direct access to Wurtemburg Street is from Rideau Street, where there is an existing signalized intersection. Rideau Street is designated as an Arterial Road (on Schedule F of the Official Plan) and runs east-west. The site can also be accessed from the west by Clarence Street, which intersects with Cobourg Street, 3 blocks to the west. Cobourg Street is designated as a Major Collector on Schedule F of the Official Plan. Cobourg Street runs north-south and meets with St. Patrick Street nearby to the north, which is an Arterial Road, and also meets Rideau Street to the south.

Rideau Street is designated as a Transit Priority Corridor on Schedule D of the Official Plan, with existing bus transit. Both Rideau Street and Cobourg Streets are designated as On-road Cycling Routes on Schedule C of the Official Plan.

In the new Official Plan Amendment No. 76, the Recreational Pathway (Schedule I) along the west side of the Rideau River diverts away from the river's edge between Rideau and St. Patrick Streets, and is shown as a Multi-use Pathway – On-road Connection along Wurtemburg Street, linking Rideau and St. Patrick Streets.

4.0 POLICY FRAMEWORK

4.1 Provincial Policy Statement (2005)

The Provincial Policy Statement (PPS) provides fundamental policy direction to planning authorities in land use planning matters; and local decisions must be consistent with these policies. Generally, the PPS states that *Efficient land use and development patterns support strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth.*

The proposed development supports many of the PPS policies. The current zoning (and the proposed amendment) permits a development that is also fully supportive of other policies, including:

Policy 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 range and mix of residential, employment, recreational and open spaces to meet long term needs;

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

e) promoting cost-effective development standards to minimize land consumption and servicing costs;

Policy 1.1.2 of the PPS provides that *"Sufficient land shall be made available through intensification and redevelopment ... to meet projected needs for a time horizon of up to 20 years."* Intensification is defined as "the development of a property, site or area at a higher density than currently exists through redevelopment , including the use of brownfield sites, the development of vacant and/or underutilized lots within previously developed areas." This proposal clearly meets the definition of intensification and seeks to redevelop an underutilized lot in a developed area.

Also consistent with Policy 1.1.3.1, that focuses growth and regeneration in the settlement areas, and Policy 1.1.3.2, which requires the efficient use of land and resources (infrastructure and public service facilities), the proposed development is within the settlement area and makes efficient use of the existing public infrastructure.

The proposal also conforms to PPS Policy 1.4.3 on Housing, by providing residential intensification and redevelopment in a location with appropriate levels of infrastructure and

public service facilities, by providing densities that efficiently use land resources and support the alternative transportation modes and public transit.

Overall, the proposed development is consistent with the objectives and policies of the PPS, and provides new residential redevelopment and intensification that make efficient use of existing infrastructure and services.

4.2 City of Ottawa Official Plan (2003, Consolidated 2007) and Official Plan (2008)

Section 2.3.1 of the Official Plan sets out broad strategic directions to meet the challenge of managing growth and directing it to the urban area where existing services are in place. Policies are set out to encourage compact forms of development which will enable the City to support a high quality transit system and make better use of its existing infrastructure and roads.

The Council approved Official Plan (2003) designates these lands as General Urban Area on Schedule B of Volume 1. The Official Plan (2008) which has been approved by Council but is still under appeal, also designates the site as General Urban Area. The General Urban Area designation permits a wide range of uses, especially many residential uses that are compatible with the surroundings in terms of building heights and setbacks. This proposal provides for infill development and intensification within the General Urban Area that is complementary to the existing community, and conforms to the policies described in Section 3.6.1 "General Urban Area".

The subject site is located in an established urban area with full municipal services; and the site is underdeveloped at present, with an unoccupied single dwelling that is proposed for demolition. The site is close to two arterial roads (Rideau Street and St. Patrick Street) and a collector that links the two (Cobourg Street). Existing transit is available on these routes and Rideau Street is designated a Transit Priority Corridor on Schedule D. These streets are also designated as On-road Cycling Routes on Schedule C. The proposal provides an opportunity for additional residential units that can take full advantage of these existing and proposed benefits; and clearly supports the Strategic Directions of the Official Plan.

Sections 2.5.1 and 4.11 of the Official Plan reinforce the importance of compatibility and community design when considering new development. The Official Plan recognizes that compatible new development does not necessarily have to be the same as, or similar to, the existing buildings in the vicinity; but rather the new development should coexist within the existing community without adverse impact on the neighbouring properties.

The proposed development meets several of the design objectives and principles outlines in Section 2.5.1; particularly:

- Promotes quality consistent with a major metropolis, and a prime business and tourist destination;

- Reflects a thorough and sensitive understanding of place, context and setting, by proposing a building and use that fit in within the generally high profile of the surrounding development;
- Encourages a continuity of street frontages by setting the building close to the street;
- Complements the massing patterns, rhythm, character and context of the area; and
- Achieves a more compact form of development over time.

Section 4.11 outlines objective criteria that can be used to evaluate compatability at the scale of neighbourhoods or individual property. The following are most applicable to this proposed development:

- Policy 2a requires that roads should be adequate to serve the development with sufficient capacity to accommodate the anticipated traffic generated by the development. A Traffic Impact Statement was not required because of the small size of the development and the expected negligible impact on existing traffic. The proposed development is accessed by Wurtemburg Street, with direct connections to Rideau Street (existing arterial) and connections to St. Patrick Street (existing arterial) via Clarence Street and Cobourg Street (existing Collector).
- Policy 2b requires that vehicle ingress and egress to a development should address impacts such as noise, headlight glare and loss of privacy for adjacent developments. The proposed parking garage entrance/exit is located adjacent to the existing driveway of the building on the north side of the development, and is situated at the end of Clarence Street, where it terminated at Wurtemburg Street. No negative impacts are anticipated from the location of the vehicular entrance to the site.
- Policy 2c requires that a development have adequate on-site parking. The proposed zoning amendment includes parking provisions that are considered appropriate for the proposed development, while recognizing the opportunity to reduce parking and increase other modes of transit, such as walking and cycling and transit.
- Policies 2d and 2e address building heights and massing, recognizing that new buildings should have regard for the area context. With respect to the height, the proposed development seeks the removal of the existing Floor Space Index of 2.5 to be replaced with a maximum building height of 59 metres (55 metres at the front and 63 metres at the rear). The east side of Wurtemburg Street is characterized by high-rise apartment buildings varying in height from 12 to 21 storeys in height, and forms a distinct built edge to the community. The west side of Wurtemburg Street, which is predominantly low-rise (2 and 3 storey) residential uses in small apartment buildings or semi-detached dwellings. The MacDonald Gardens Park occupies a large portion of the west side of

Wurtemburg Street. Rather than propose a 12 storey building that would visually continue the "wall" of the existing Seigneury building on the south side, the proposal seeks to establish a stronger architectural expression of a point tower that marks the terminus of Clarence Street, and offers variation to the long wall of the Seigneury, while still respecting the overall height range of the street.

- Policy 2l requires that new development provide supporting neighbourhood services, or alternatively, is able to be supported by existing neighbourhood services. The proposed development of only 68 units is fully capable of being supported by the existing neighbourhood services.

The sun shadow study prepared by the Architect (DCYSA) illustrates that the proposed building mass and height do not negatively impact the neighbouring properties.

The proposed zoning amendment and site plan proposal for the site take into consideration the applicable and relevant Official Plan policies, including Sections 2.5.1 and 4.11 Urban Design and Compatibility.

Due to its proximity to the Rideau River, any application for redevelopment of this site also requires relief from the minimum setbacks established in the Official Plan.

Policy 4.7.3.2 of the Official Plan establishes minimum setbacks for development from the water's edge, top of embankment and high floodplain contour. Policy 4.7.3.5 of the Official Plan (Policy 4.7.3.7 of the 2008 Official Plan under appeal) states that where an exception to these setbacks is requested, the City in consultation with the Conservation Authority will consider alternate setbacks on the basis of a study submitted by the applicant that addresses:

- Slope of the bank and geotechnical considerations related to unstable slopes, as addressed in Council's Slope Stability Guidelines for Development Applications in the City of Ottawa 2004;
- Natural vegetation and the ecological function of the setback area;
- The nature of the abutting water body, including the presence of a floodplain;
- The need to demonstrate that there will be no negative impacts on adjacent fish habitat.

These issues are addressed in this study in the EIS section, and the study concludes that the proposed setbacks are appropriate.

4.3 City of Ottawa Comprehensive Zoning Bylaw 2008-250

The current designation of the site in the Ottawa Zoning By-law is R5C [926] F(2.5) – Residential Fifth Density Zone.

The purpose of the R5 - Residential Fifth Density Zone is to:

*(1) allow a wide mix of residential building forms ranging from detached to mid-high rise apartment dwellings in areas designated as **General Urban Area**, **Mixed Use Centre** or **Central Area** in the Official Plan;*

(2) allow a number of other residential uses to provide additional housing choices within the fifth density residential areas;

(3) permit ancillary uses to the principal residential use to allow residents to work at home and to accommodate convenience retail and service uses of limited size ;

*(4) ensure that residential uses predominate in selected areas of the **Central Area**, while allowing limited commercial uses;*

(5) regulate development in a manner that is compatible with existing land use patterns so that the mixed building form, residential character of a neighbourhood is maintained or enhanced; and (By-law 2009-392)

*(6) permit different development standards identified in the Z subzone, primarily for areas designated as **Developing Communities**, which promote efficient land use and compact form while showcasing newer design approaches.*

The exception number 926 is a site specific zoning for the subject site which specifies minimum side yard requirements, to which the proposal conforms. The additional permitted use of a diplomatic mission office is not relevant to the proposal.

926	R5C[926] F (2.5)	- office limited to a diplomatic mission	- office restricted to a dwelling converted for that use - minimum lot width of 14 m - minimum southerly side yard setback of 0.5 m - minimum northerly side yard setback of 0 m

Zoning Mechanism	Regulation	Proposed Development	Compliance
Minimum lot width	14 m	14 m	Yes
Maximum building height	none	59 m	Yes
Minimum front yard setback	3 m	3m	Yes

Minimum interior side yard setback	0 and 0.5 m	0 and 0.5 m	Yes
Minimum rear yard setback	7.5 m	10 m	Yes
Minimum landscaped area	30 % lot area	40%	Yes
Minimum parking requirement	0.25 per unit = 17	54 spaces	Yes
Minimum visitor parking	11 spaces	0	No
Minimum bicycle parking	32 spaces	32 spaces	Yes
Minimum amenity area	408 sq. m.	658 sq. m	Yes
Minimum setback to watercourse	30 m	10 m	No
Minimum width of driveway leading to parking garage	6.7 m	4 m	No

Required Amendments

The proposed zoning amendment for the development seeks the following:

- Replace the maximum Floor Space Index (FSI) of 2.5 with a maximum building height of 59 metres
- Reduce the visitor parking requirement to 0 spaces
- Permit a reduced driveway width of 4 metres for a driveway providing access to a parking garage
- Permit a setback to the edge of a watercourse of 10 metres.

The requested amendments are appropriate from a planning perspective. The proposed development will not generate adverse impacts on the surrounding uses, taking into consideration the locational characteristics of the site and the nature of the adjacent developments.

With regard to the Setbacks to Watercouses and Waterbodies , the staff initiated Zoning Amendment to the Bylaw Section 69 (3) states that "Exceptions to the setbacks will be considered by the City in consultation with the Conservation Authority where development is proposed:

- On existing lots where due to historical development in the area, it is unreasonable to demand or impossible to achieve minimum setback distances because of the size or location of the lot, the approved or existing use on the lot, or other physical restraint;"

This prerequisite condition is certainly applicable to the site at 101 Wurtemburg Street, where the property is in a highly urbanized area with neighbouring developments that also do not meet the minimum setback requirements from the river. The bylaw amendment provides that development requiring site plan control must provide the minimum setbacks unless, as established through conditions of approval, a different setback is determined to be appropriate in accordance with the criteria set forth in the Official Plan. As previously mentioned, this report demonstrates that a reduced setback is appropriate for the subject site.

5.0 PLANNING RATIONALE CONCLUSION

The proposed development would intensify a vacant single dwelling lot that is currently highly under-utilized, resulting in the efficient use of land and existing infrastructure. It would continue the existing character of the east side of Wurtemburg Street as a distinct eastern edge to the neighbourhood.

The proposal conforms to the intent and objectives of the Provincial Policy Statement, City of Ottawa Official Plan, and supporting documents. For these reasons we believe that the proposal and the Zoning Amendment and Site Plan Approval required to support it, constitute good planning and are in the public interest.