

PLANNING RATIONALE ADDENDUM NO. 1

99 FIFTH AVENUE

May 15, 2018

Ms. Kersten Nitsche

Planner II, Development Review, Central
City of Ottawa
110 Laurier Avenue West
Ottawa, ON K1P 1J1

**RE: 99 Fifth Avenue – Planning Rationale Addendum No. 1
Zoning By-law Amendment
File No. D02-02-17-0113**

Dear Ms. Nitsche,

The original Planning Rationale and Design Brief for the proposed mixed-use redevelopment of the property at 99 Fifth Avenue was submitted in November 2017 (dated November 28, 2017). The following Addendum No. 1 has been prepared to summarize changes to the development since the original submission, including adjustments to building heights, building massing, parking, and access.

The Planning Rationale Addendum forms part of a comprehensive package of resubmitted materials that reflect the outcomes of community consultations, consultation with the City of Ottawa's Urban Design Review Panel, and City of Ottawa Staff over the past several months. These discussions have resulted in numerous changes to the plans, as described below.

It is Fotenn's opinion that the conclusions of the November 2017 Planning Rationale remain valid in general and specifically with regards to the revised development. Reference should be made to the findings of the original report in addition to the rationale contained herein.

1.0 Description of the Revised Proposal

As noted in the original Planning Rationale and Design Brief, the subject property represents one of the most significant opportunities for intensification along the Bank Street corridor in the Glebe. The revised development proposal has been refined to ensure a compatible intensification of the lands.

The revised development retains the two distinct, but related, building components, which includes the retained two (2) storey non-residential building abutting Bank Street and the new construction behind. Together, the two continue to create a coordinated redevelopment that supports and maintains the mainstreet character of Bank Street while achieving the City's objectives for intensification.

The revisions to the proposal are solely related to the new mid-rise building at the rear of the property. Previously proposed as an eight (8) storey building with a mechanical penthouse above, the revised proposal is a six (6) storey building with a partial seventh (7) storey with an integrated mechanical penthouse has been integrated into the seventh storey. The building retains the previously proposed U-shape at the rear, aligned with the rear yards of the adjacent dwellings along Fourth and Fifth Avenues. The front (west façade) of the building has been refined and now also has two "wings" that form a U-shape along the Bank Street edge. The articulation of the mass provides interest in the façade while also serving to reduce the building mass.

The building articulation has been refined to reinforce the adjacent two (2) and three (3) storey buildings along Fourth and Fifth Avenue with a strong red brick podium and lighter materials above. Stepbacks at the third and fifth storeys further articulate the building frontages and reinforce a pedestrian scale on the street.

The seventh storey of the building is setback substantially from the adjacent yards on all sides – 7.94 metres from the south, 13.61 metres from the east, 17.66 metres from the west, and 5.95 metres from the north. The result is that the seventh storey has limited visibility from adjacent streets. The integration of the mechanical penthouse into the top storey also mitigates the visual impact of this element.

The revised plan removes the existing rear lane connecting Fourth and Fifth Avenue that had previously been proposed for retention. All parking has been removed from the surface and relocated to the below-grade parking garage. The two (2) storey underground parking garage will provide 118 total parking spaces including 100 residential spaces, 11 residential visitor spaces, and 7 spaces for the non-residential uses. The total number of parking spaces now complies with the minimum requirements of the Zoning By-law.

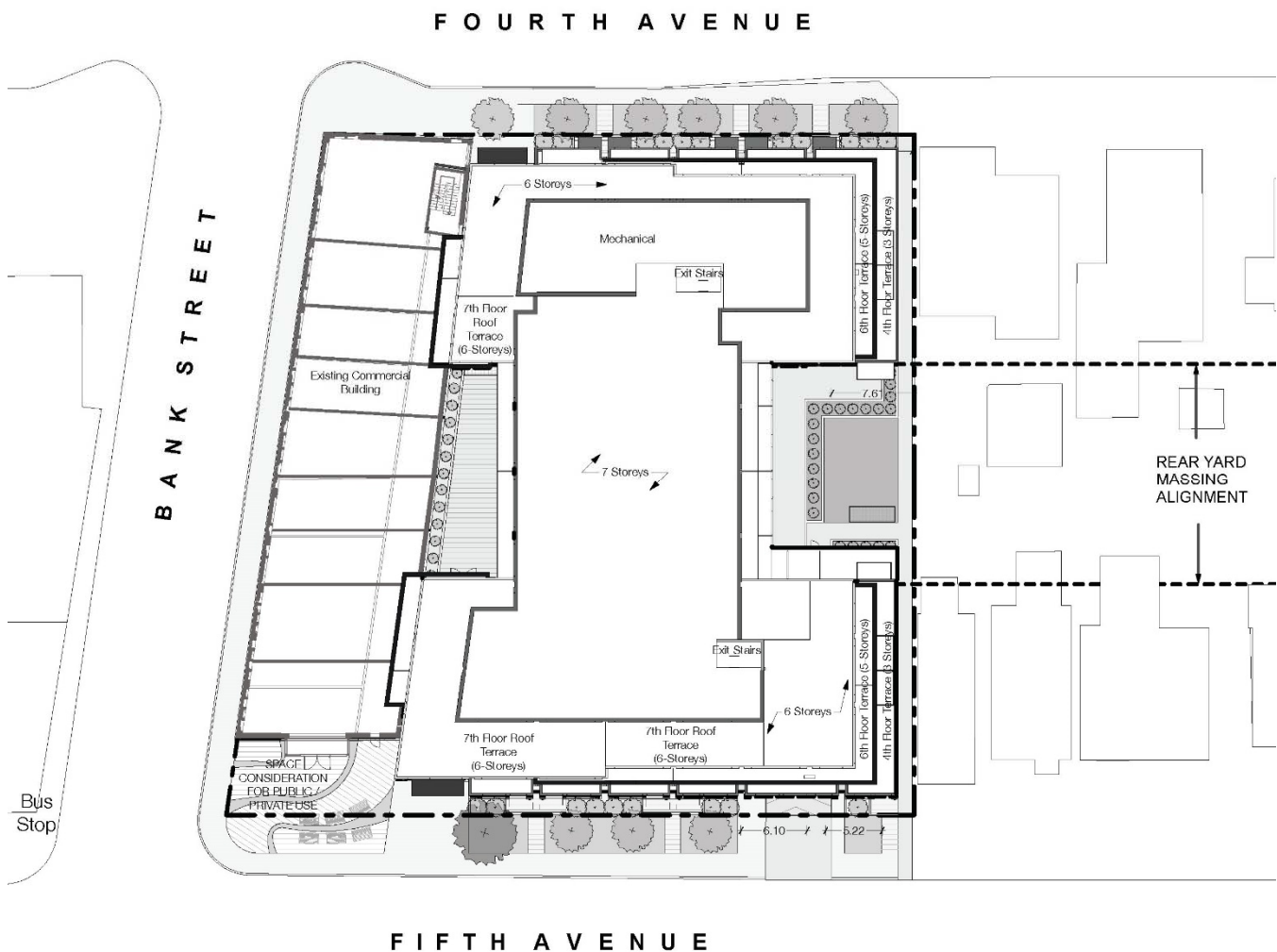


Figure 1: Revised Site Plan

2.0 Applications and Rezoning Requested

The original Planning Rationale outlined the requested Zoning By-law Amendments in Section 7.0. Given the changes to the proposal, the requested amendments are revised as follows:

- / To replace the required/permitted building heights and setbacks in the Traditional Mainstreet (TM) zone with a site-specific schedule in the Zoning By-law. This schedule would:
 - Reflect the existing front and corner side yard setbacks for the retained building;
 - Reflect the proposed building heights and setbacks;
 - Remove the angular plane requirement for a portion of the rear yard.
- / To amend Section 197(1)(b) to permit a residential use abutting the street (Fourth Avenue and Fifth Avenue) and having direct pedestrian access to that street, within a depth of 6 metres of the front wall of the main building abutting the street; and,
- / To amend Section 65(4) (canopies and awnings) and 65(5) (open stairways, stoops, landings, steps and ramps) to remove any limit on the extent of the projections into the required yards, and to permit all projections to extend to within 0 metres of the property line.

A Zoning Schedule is generally adopted for redevelopment projects as it removes the requirement to describe each of the setbacks and provides a definable envelope in which development can occur. In this case, the schedule provides a tool to ensure that the building heights and setbacks respect the current concept plan.

3.0 Policy and Regulatory Framework

3.1 Provincial Policy Statement

The revised development is consistent with the policies of the Provincial Policy Statement (PPS), as described in the Planning Rationale and Design Brief prepared by Fotenn Consultants and dated November 28, 2017.

3.2 City of Ottawa Official Plan

3.2.1 Managing Growth

The proposed plan modifications continue to conform to the overarching intent of the Official Plan policies on managing growth within the City of Ottawa. Traditional Mainstreets, like Bank Street, are identified as target areas for intensification. The proposed development continues to represent residential intensification of the lands within a target area for intensification.

3.2.2 Land Use Designation

The subject property is designated “Traditional Mainstreet” on Schedule B of the City of Ottawa Official Plan. Traditional Mainstreets are planned as compact, mixed-use, pedestrian-oriented streets that provide for access by foot, bicycle, transit, and by automobile. Redevelopment and intensification along Mainstreets is encouraged to optimize the use of land and in a format that encloses and defines the street edge and provide direct pedestrian access to the sidewalk. Building heights up to six (6) storeys are generally supported on Traditional Mainstreets, while greater building heights may be considered in accordance with the policies of Section 4.11.

The revised development continues to achieve the City’s policy objectives for Traditional Mainstreets by intensifying the subject property with a mixed-use development in a compatible form. The mix of uses and new residential units will contribute positively to the creation of an active, vibrant pedestrian environment along Bank Street and will support existing services in the immediate area.

The revised development has been reduced in height from eight (8) storeys to six (6) storeys with a partial seventh (7) storey carefully designed so as to mitigate visual impacts on the surrounding streets. The partial seventh storey is set well back from all property lines, and is also setback by approximately 5 metres from the

floors below. The policies of Section 4.11, described below, provide suggestions for built-form transition which have been applied to the revised development.

3.2.3 Building Liveable Communities

Section 2.5.1 provides guidance as to how to achieve compatibility between form and function when introducing new development into existing areas. Compatible development means development that, although not necessarily the same as or similar to existing buildings in the vicinity, nonetheless enhances an established community and coexists with existing development without causing undue adverse impact on surrounding properties. It “fits well” within its physical context and “works well” among those functions that surround it.

Section 2.5.1 provides design objectives and associated principles to guide development to achieve a good fit within the existing context. The following objectives are those that are affected by the revised development proposal:

- / To define quality public and private spaces through development.
The revised development maintains a continuous street frontage along Fourth Avenue, Fifth Avenue and Bank Street and animates the frontages with active retail (Bank Street) and ground-oriented residential unit entrances (Fourth and Fifth Avenues). The ground-oriented units on the side-streets will contribute positively to the streetscape and will provide a transition from the Traditional Mainstreet into the residential community. The revised development extends these units along the full frontage of both side streets.
- / To ensure that new development respects the character of existing areas.
The depth of the subject property continues to allow for an appropriate built-form transition from the Traditional Mainstreet to the adjacent residential community. Varying setbacks, stepbacks, and materials have been used to reinforce the two (2) to three (3) storey form along Fourth and Fifth Avenue, maintaining a similar datum line to the existing dwellings along the street to the east.

The revised proposal maintains the U shape abutting the eastern property where the setback portion of the building aligns with the outdoor rear yard amenity spaces of the adjacent dwellings. The central portion of the building provides over 15 metres of separation from the rear lot line and meets the 45 degree angular plane as required in the Zoning By-law. The wing sections of the building are oriented in a side yard to side yard relationship with the existing structures to the east.

The stepbacks integrated into the rear portions of the building provide an appropriate transition from the low-rise community to the east. The building steps back as follows:

- / For the first three floors , the setback is 1.5 metres;
- / Above the third storey/9.9 metres, the setback is 3.5 metres;
- / Above the fifth storey/15.8 metres, the setback is 5.5 metres; and,
- / Above the sixth storey/19.05 metres, the setback is 9.68 metres.

The Traditional Mainstreet zone requires an angular plane of 45 degrees measured from a point 7.5 metres from the rear lot line, and 15 metres high. The revised development would satisfy this angular plane requirement for 30% of the lot width, while providing an appropriate transition for the balance of the width.

3.2.4 Compatibility

The revised development is evaluated using the compatibility criteria of policy 2 in Section 4.11 below:

Criteria	Discussion
Traffic	The revised development proposal decreases the number of units from 124 to 121. As a result, the findings of the previously prepared Traffic Study will not change significantly. The revised proposal removes all surface parking spaces and the rear lane, resulting in all traffic accessing the building's underground garage from Fifth Avenue. The entrance to the garage has been located strategically away from the rear of the property to allow for a residential unit to be located between the entrance and the properties to the east.
Vehicular Access	The revised development proposal removes any vehicular access from Fourth Avenue and consolidates all parking within the underground parking garage accessed from Fifth Avenue. Fifth Avenue at Bank Street is a full movement intersection with signal providing access both north and south on Bank Street.
Parking Requirements	The revised development proposal includes 118 parking spaces, all within the parking garage. The distribution of spaces has been revised to comply with the minimum requirements of the Zoning By-law.
Outside Amenity Areas	The revised development proposal maintains the additional separation (over 15 metres) from the outdoor amenity areas of adjacent residential dwellings.
Loading and Service Areas, Outdoor Storage	All loading and service areas continue to be located within the building. A loading zone is not required for the development; as such, loading will be from the street on the Fourth Avenue frontage.
Lighting	All site lighting will continue to be designed to mitigate any spillover onto adjacent properties.
Noise and Air Quality	The original findings of the noise study are not changed as a result of the revisions to the proposal.
Sunlight	The revised Shadow Study (included as part of the May 3 package presented to the Urban Design Review Panel) demonstrates the shadowing as a result of the revised development. The height of the building does not cause significant adverse impact on adjacent properties. In addition, the proposed seventh storey does not generate significant shadow impacts beyond the extent of the as-of-right building height.
Microclimate	The findings of the original wind study are not changed as a result of the revisions to the proposal.
Supporting Neighbourhood Services	The revised development intensifies a large property along an identified intensification corridor with a mixed-use development. The addition of new residential units will contribute to the vibrancy and activity of the mainstreet.

3.2.5 Design Priority Areas

The subject property is located along a Traditional Mainstreet and within a designated Design Priority Area. The proposed development has been presented at two (2) reviews with the Urban Design Review Panel. Comments from the panel were incorporated into the revised proposal.

3.2.6 Location of Tall Buildings

The Traditional Mainstreet policies of the Official Plan support building heights of up to six (6) storeys. The revised development proposal includes a partial seventh (7) storey fully integrates the mechanical penthouse and is set well back from the building edge to reduce its visibility from the street and surrounding properties. The Official Plan also recognizes that in specific cases greater building heights may also be appropriate. The subject property continues to represent one such instance in that a suitable built form transition can be achieved between the Traditional Mainstreet building and the adjacent residential community (policies 9 and 10 of Section 4.11 in the Official Plan).

The revised development continues to implement built-form transitions specified in policy 12 including:

- / The use of incremental building heights to achieve transition. The proposed development utilizes a series of setbacks and stepbacks above the third, fifth, and sixth storeys to provide an appropriate transition to the community to the east.
- / Breaking up the massing of the buildings with ground-oriented units. The revised proposal extends the ground-oriented housing proposed along both Fourth and Fifth Avenues to provide active entrances and front yards along the street, maintaining the residential character of the streets and providing and appropriate transition from the Mainstreet into the community.
- / The use of a variety of materials and colours, including the use of red brick to strengthen the base of the building and matching the existing two (2) to three (3) storey character of those streets. Lighter materials on the upper storeys reinforce the pedestrian scale along the streets.
- / The partial seventh storey is set well back on all sides to limit its visibility from the street and surrounding properties. The mechanical penthouse has also been integrated into the upper storey, further reducing the visual impact of this required building component.

3.3 City of Ottawa Official Plan Amendment No. 150

The revisions to the proposed development do not impact on the conformity of the redevelopment plan with Official Plan Amendment No. 150 (OPA 150). The policies of OPA 150 are not yet in full force and effect however speak to a maximum building height of six (6) storeys on Traditional Mainstreets unless a Secondary Plan specifies otherwise. The subject property would, in our opinion, be recognized through any Secondary Planning process as an ideal site for intensification. The revised development achieves intensification in a compatible manner that respects the character of the adjacent community.

3.4 City of Ottawa Comprehensive Zoning By-law

The subject property is currently zoned "Traditional Mainstreet, Exception 93, Maximum Height 15 metres (TM[93] H(15))". Exception 93 contains site specific provisions, including:

- / Maximum 550 sm gross floor area permitted for medical facility;
- / Maximum cumulative total of 915 sm gross floor area permitted for restaurant uses;
- / Maximum cumulative total of 1,100 sm gross floor area permitted for a retail food store, retail store use
- / Maximum 3,660 sm of gross floor area permitted for all non-residential uses;
- / 79 parking spaces are required for the non-residential uses; and,
- / Despite Section 197(1)(c) internal ground floor uses without direct access to Bank Street are permitted.

It should be noted that the requirement for 79 parking spaces within Exception 93 is no longer valid given changes made by the City of Ottawa to the minimum parking requirements in 2016. As per Section 101(7)(b), where a zoning exception results in a higher minimum parking requirement that does this section, the lower parking requirement shall prevail. In the case of the proposed development, the minimum parking requirement for non-residential uses is seven (7) spaces, and therefore prevails over Exception 93.

The revised development is compared to the requirements of the TM[93] H(15) zone in the table below. Proposed amendments are highlighted and bolded.

Provision	Required	Provided
Minimum Lot Area	No minimum	3,698 square metres
Minimum Lot Width	No minimum	63.5 metres
Maximum Front Yard (Bank Street) Setback	2 metres	0 metres 15.28 metres southwest corner (existing condition)
Minimum Corner Side Yard (Fourth and Fifth Avenue) Setback	3 metres, except for any part of a building above 15 metres for which an additional 2 metre setback must be provided	1.5 metre setback along ground floor and second floor along Fourth and Fifth Avenue Stepbacks are incorporated above the third, fifth, and sixth storey. Please refer to the proposed Zoning Schedule. *To be addressed by Zoning Schedule
Minimum Rear Yard Setback	7.5 metres	7.5 metres for 30 percent of rear yard 1.5 metres for 70 percent of rear yard *To be addressed by Zoning Schedule
Minimum Building Height	6.7 metres for a distance of 20 metres from the front lot line	8.0 metres
Maximum Building Height	15 metres Where the building height is greater than four (4) storeys or 15 metres, at and above the fourth storey or 15 metres (whichever is lesser) the building must be setback a minimum of 2 metres more than the provided setback from the front and corner side lot lines.	22.3m *To be addressed by Zoning Schedule
Angular Plane	No part of a building on a lot with a rear lot line abutting an R1, R2, R3 or R4 Zone may project above a 45 degree angular plane measured at a height of 4 storeys or 15 metres (whichever is lesser) from a point	Angular plane of 45 degrees met for 30 percent of the building. Angular plane of 45 degrees not met for 70 percent of the building.

Provision	Required	Provided
	7.5 metres from the rear lot line, projecting upwards towards the front lot line	*To be addressed by Zoning Schedule
Minimum Width of Landscaped Area Abutting a Residential Zone	3 metres, may be reduced to one metre where a 1.4 metre high opaque fence is provided	1.5 metres with a 1.4 metre high opaque fence
Minimum Aisle and Driveway Width	6 metres for driveway accessing and aisle within the parking garage	6.07 metres for driveway accessing parking garage and 6.0 metres for drive aisle within parking garage
Restriction on Uses Abutting Mainstreet	Where in a commercial or mixed use building and located on the ground floor abutting a street having direct pedestrian access to that street, residential, office and research and development centre uses must not be located within a depth of six metres of the front wall of the main building abutting the street	Residential uses will abut the street (Fourth Avenue and Fifth Avenue) and will have direct pedestrian access to that street, within a depth of 6 metres of the front wall of the main building abutting the street
Ground Floor Activation	<p>A minimum of 50% of the ground floor façade facing the main street, measured from the average grade to a height of 4.5 metres, must comprise transparent windows and active entrances; and where an active entrance is angled on the corner of the building, such that it faces the intersection of the main street and an intersecting side street, it is deemed to face the main street</p> <p>*Note: Exception 93 states that internal ground floor uses without direct access to Bank Street are permitted</p>	Greater than 50% of the ground floor facade contains glazing with several active entrances directly onto Bank Street.
Storage	Storage must be completely enclosed within a building	No outdoor storage is proposed.
Amenity Area	726 square metres total (121 units)	Private: 1,271 square metres

Provision	Required	Provided
	Minimum 363 square metres communal	Communal: 582 square metres
Minimum Parking Requirements Residential: First 12 units: None required Other: 0.5 spaces/dwelling unit Residential Visitor: First 12 units: None required Other: 0.1 spaces/dwelling unit Maximum 30 spaces Retail: 1.25 spaces/100sm of GFA Restaurant: 5 spaces/100sm of GFA Office: 1 spaces/100sm of GFA	Residential: 55 spaces Residential Visitor: 11 spaces Non-Residential (first floor): None Non-Residential (second floor): 7 spaces Total: 73 spaces	Residential: 100 spaces Residential Visitor: 11 spaces Non-residential (first floor): None Non-residential Uses (second floor): 7 spaces Total: 118 spaces
Bicycle Parking Requirements 0.5 spaces/dwelling unit 1 space/250 sm of GFA for restaurant, retail and office	Residential: 61 spaces Retail/Restaurant/Office: 6 spaces Total: 66 spaces	Residential: 77 spaces Retail/Restaurant/Office: 6 spaces Total: 83 spaces

3.4.1 Proposed Amendments

The current application is for a minor Zoning By-law Amendment to facilitate the development of the lands as proposed. The proposed amendments are as follows:

- / To recognize the existing condition on site, by permitting a maximum front yard setback of 15.28 metres for approximately 7 metres of the frontage whereas the By-law requires a maximum front yard setback of 2 metres;
- / To recognize the existing condition on site, by permitting a minimum corner side yard setback of 0 metres abutting Fourth Avenue for the retained commercial building whereas the By-law requires a setback of 3 metres;
- / To adopt a site-specific Zoning Schedule that will address the proposed building height and building setbacks. The overall proposed building height is 22.3 metres;
- / To amend Section 197(1)(b) to permit a residential use abutting the street (Fourth Avenue and Fifth Avenue) and having direct pedestrian access to that street, within a depth of 6 metres of the front wall of the main building abutting the street; and,
- / To amend Section 65(4) (canopies and awnings) and 65(5) (open stairways, stoops, landings, steps and ramps) to remove any limit on the extent of the projections into the required yards, and to permit all projections to extend to within 0 metres of the property line.

4.0 Conclusion

In considering the revised development and the applicable policy framework, it is our professional opinion that the revised development proposal represents good planning and is in the public interest as it is consistent with the Provincial Policy Statement, conforms to the City of Ottawa Official Plan and Official Plan Amendment No. 150, meets the applicable urban design guidelines and maintains the general intent of the Zoning By-law.

The revised development continues to advance several key policy objectives of both the Province and the City of Ottawa including: optimizing the use of land within the existing urban boundary, encouraging compatible intensification within designated areas inside the urban boundary, developing property in proximity to transit priority corridors with compact, mixed-use development, and contributing to the range of housing types and tenures in the City.



Carl Furney, MCIP RPP AICP
Associate Director of Planning and Development



Paul Black, MCIP RPP
Senior Planner