



112 & 134 Nelson Street

Planning Rationale
Zoning By-law Amendment and Site Plan Control
February 23, 2023



Prepared for Smart Living GP Inc.

Prepared by Fotenn Planning + Design
396 Cooper Street, Suite 300
Ottawa, ON K2P 2H7

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1.0 Introduction

Fotenn Planning + Design has been retained by Smart Living Properties to prepare a Planning Rationale in support of a Major Zoning By-law Amendment to facilitate the proposed development on the lands municipally known as 112 & 134 Nelson Street (the “subject property”) in the City of Ottawa. The rezoning will amend the existing zoning from R5B[2664] S421-h and IG1 H(11) to a new site specific Residential Fifth Density Zone with exceptions to accommodate a concurrent Site Plan Control Approval application (File No. D02-02-21-0076).

1.1 Application History

112 Nelson Street was previously subject to a site-specific Zoning By-law Amendment submitted in 2017 by the previous owners. The amendment was approved, rezoning 112 Nelson to Residential Fifth Density Zone, Subzone B, Exception 2664, Schedule 421, Holding Symbol R5B[2664] S421-h.

When the ownership changed hands, Site Plan Control Approval was requested for 112 Nelson which necessitated a further Minor Zoning Amendment. Both of these applications were submitted in July 2021 to facilitate the development of an L-shaped nine (9) storey, mid-rise residential building with a total of 322 dwelling units. Since then, 134 Nelson, the adjacent property to the south was purchased and incorporated into the development proposal, warranting the requirement for a new Major Zoning By-law Amendment.

After discussion with City Staff, it was decided that the outstanding Minor Zoning Amendment (D02-02-21-0076) applied for in July 2021 will be canceled and replaced with this Major Zoning By-law Amendment which incorporates the rezoning of 134 Nelson Street. Further the in-process Site Plan Control Application (D02-02-21-0076) would remain active, however be recirculated incorporating the newly acquired lands.

1.2 Application Overview

The proposed development now consists of both 112 and 134 Nelson Street. The same L-shaped nine (9) storey, mid-rise residential building is proposed albeit with a larger floor plate that incorporates 134 Nelson Street. To facilitate the proposed development a Major Zoning By-law Amendment is required to rezone 134 Nelson Street and amend the some of the site-specific provisions for 112 Nelson Street. 134 Nelson is proposed to be rezoned from an Industrial zone to a residential zone. It is proposed that the same provisions will be applied to both 112 and 134 Nelson.

The intent of this Planning Rationale is to assess the proposed development against the applicable policy and regulatory framework and demonstrate that the proposed development is appropriate for the subject site and is compatible with the adjacent development and the surrounding community. This includes an analysis of how the proposed development achieves the City’s applicable design guidelines, including appropriate transition and building height within the established neighbourhood.

Site Context and Surrounding Area

2.1 Subject Property

The subject property is located on the west side of Nelson Street, mid-way between Rideau Street and York Street in the Lowertown neighbourhood of the City of Ottawa. The subject property has a combined frontage of 28.5 metres along Nelson Street, and a total site area of approximately 3,641 square metres.

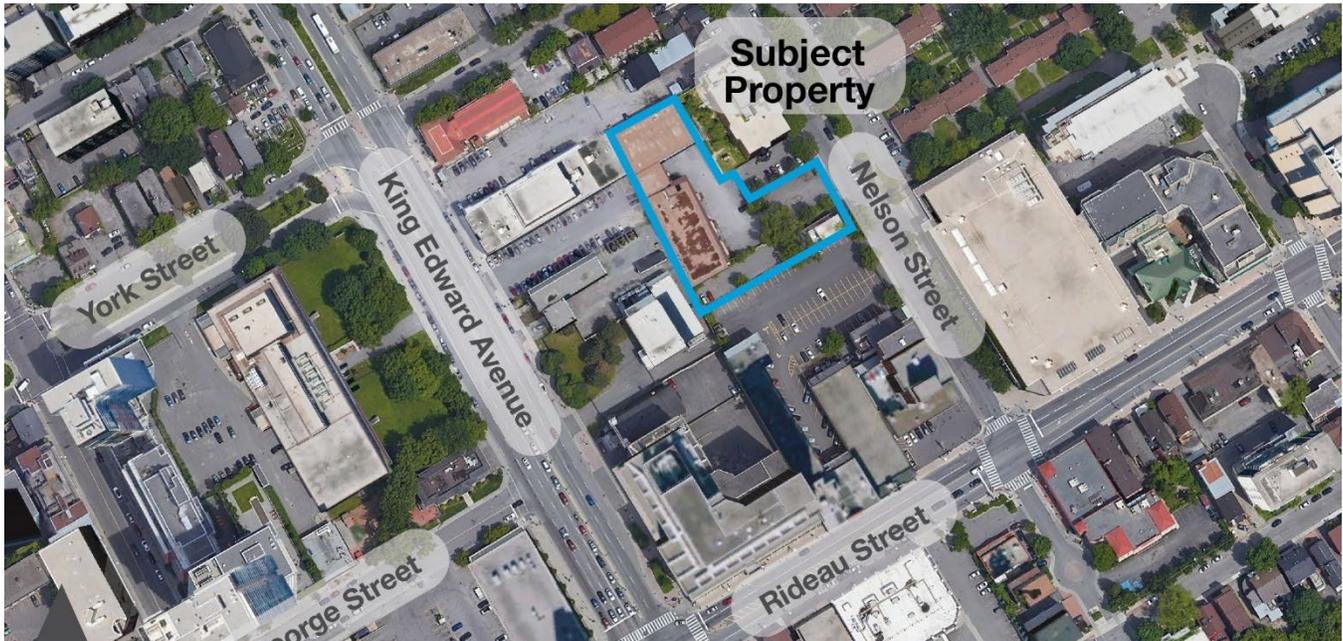


Figure 1: Location Map

The irregularly L-shaped property is currently occupied by a 2-storey metal sided warehouse building located at the rear of the site (112 Nelson) and a one storey commercial building (134 Nelson). Although the majority of the property is hardscaped, medium-sized trees are present along the Nelson Street frontage. Sidewalks are provided along the frontage of the property. Wooden poles also feature light standards along Nelson Street.



Figure 2: Existing building on the subject property, view from Nelson Street.

2.2 Surrounding Context

The subject property is located in the heart of Lowertown. Rideau Street, a major east-west corridor, is located approximately 100 metres south, while King Edward Avenue, a major north-south corridor is located approximately 140 metres west of the subject property. The area surrounding the property is characterized by a broad mix of uses and building typologies including low-, mid-, and high-rise residential and mixed-use buildings, office buildings, commercial and institutional uses. Rideau Street and King Edward Avenue are characterized by a range of commercial uses offering daily goods and services while also providing more specialized functions and destinations that serve the needs of others living beyond the neighbourhood. The site also benefits from close access (approximately 700 metres) from the Rideau LRT Station.

The surrounding uses can be described as follows:

North: Directly abutting the northeast portion of the subject property is an existing eight (8) storey, mid-rise apartment building. This residential building has direct frontage along Nelson Street and is approximately 28 metres in height. Directly north of the subject property is an industrial property currently used as an auto-repair shop. Further to the north, a collection of low-rise apartment buildings, semi-detached dwellings and townhouses front onto York Street. Building heights of up to 14.5 metres are permitted in this neighbourhood.

East: Across Nelson Street, to the east of the subject property are several low-rise, townhouses and multi-plexes. These lands are zoned to permit building heights of up to six (6) storeys. Further, a Loblaws grocery store is located to the southeast of the property at the intersection of Nelson Street and Rideau Street. Moreover, the Jules-Morin neighbourhood park as well as the MacDonald Gardens neighbourhood parks are located to the east of the property. The Cummins Bridge is located further east of the property, providing a vehicular, pedestrian and bicycle connection across the Rideau River between the Sandy Hill/Lowertown and the Vanier neighbourhoods.

South: Directly abutting the subject property to the south is an existing surface parking lot servicing the Days Inn Hotel which has frontage along Rideau Street. Further south there is a high-rise residential building that is ten (10) storeys in height.

West: Abutting the subject property to the west are several buildings which front onto King Edward Avenue. These include a low-rise theatre, a low-rise heritage building, open space uses as a surface parking lot and a recently redeveloped, high-rise, student residence. Further west across King Edward Avenue is the Byward Market and Lowertown Neighbourhood.

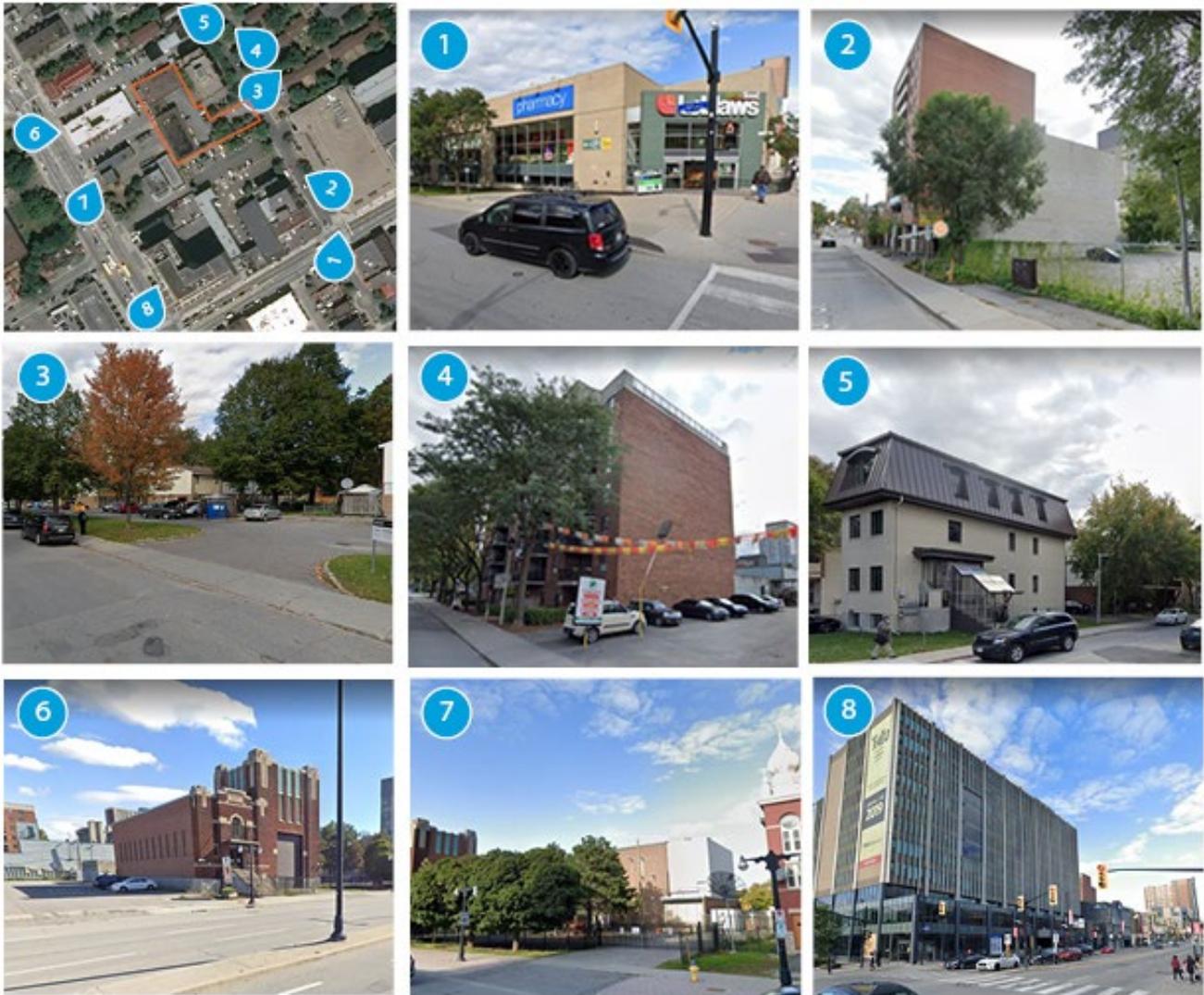


Figure 3: Surrounding Area

2.3 Transportation

The subject property is approximately 100 metres north of Rideau Street and 140 metres east of King Edward Avenue, both of which are designated as Arterial roads on Schedule C5 – Downtown Core Road Network in the City of Ottawa Official Plan. Arterials function as major public and infrastructure corridors in urban areas. They not only accommodate private and commercial vehicles and public transit buses, but also serve other modes of travel including pedestrians and cyclists as well as provide corridors for public infrastructure and utilities. As Arterial roads, King Edward Avenue and Rideau Street provide efficient vehicular connections to the Downtown Core, the Provincial Highway, the Interprovincial bridges and to surrounding neighbourhoods. The property is also located approximately 200 metres southwest of Beausoleil Drive, which is designated as a Collector road on Schedule C5.

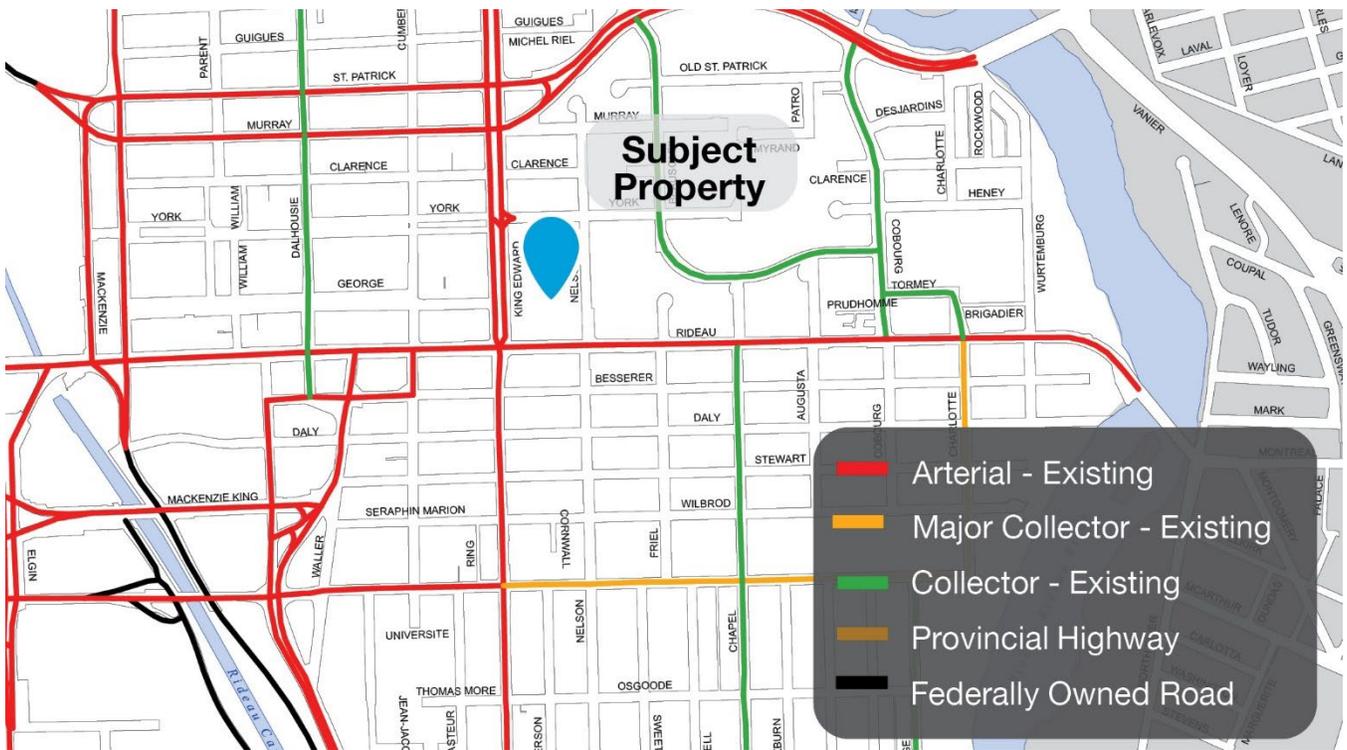


Figure 4: Schedule C5 - Downtown Core Road Network

Pursuant to Schedule C2 – Transit Network - Ultimate of the Official Plan, the property is in close proximity to existing transit. The entirety of the subject property is within an 800-metre radius of the existing Rideau LRT station. Further, this schedule identifies Rideau Street and King Edward Avenue as Transit Priority Corridors.

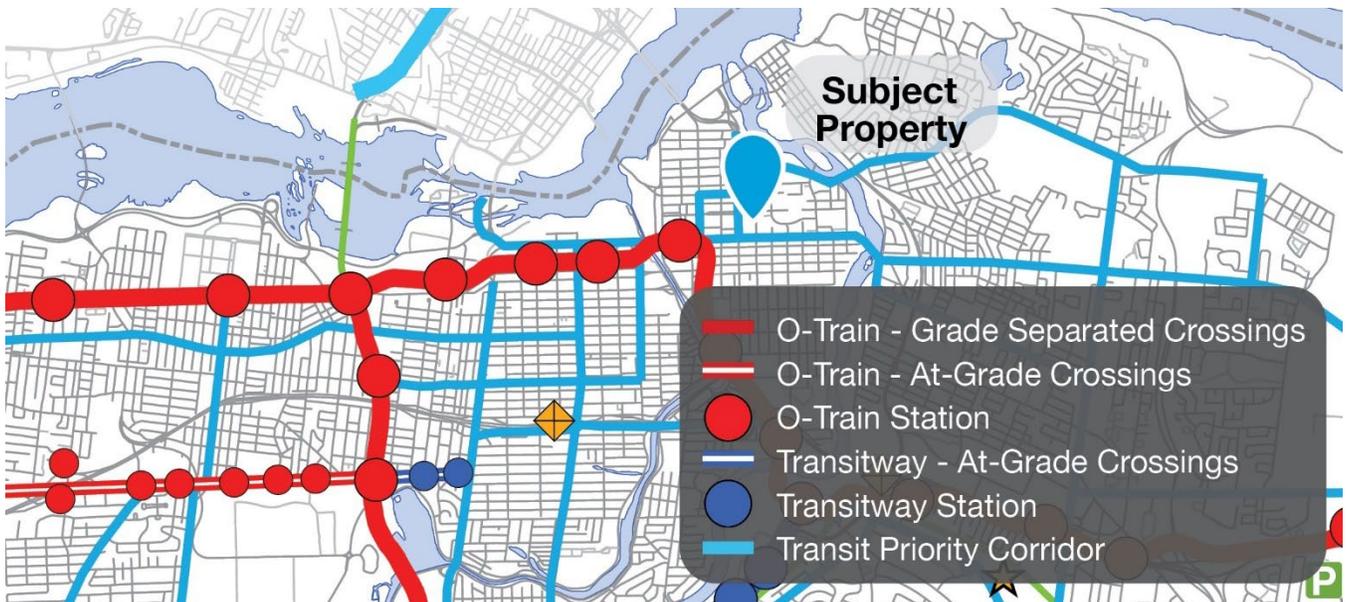


Figure 5: Schedule C2 - Transit Network - Ultimate

The nearest bus station is located approximately 170 metres walking distance south of the property at the intersection of Nelson Street and Rideau Street servicing OC Transpo Bus Routes #7, #14, #15, and #17 and #18. Further, another bus station is located approximately 220 metres walking distance west of the property at

the intersection of King Edward Avenue and George Street servicing OCTranspo Bus Route #56. The below table provides a summary of the bus routes in proximity to the subject site.

Bus Route #	Direction	Terminus
7	east-west	St. Laurent Mall → Carleton University
14	east-west	St. Laurent Mall → Tunney's Pasture
15	east-west	Blair Transit Station → Parliament Transit Station
17	north-south	Saint Patrick Street → Cegep Gabrielle Roy (Gatineau)
18	east-west	St. Laurent Mall → Rideau Transit Station
56	east-west	Union Street → Tunney's Pasture

2.4 Neighbourhood Amenities

As a site located in Lowertown and directly east of the Downtown core, the subject property enjoys proximity to many neighbourhood amenities including a variety of small and locally oriented commercial uses such as restaurants, retail stores, and coffee shops. The surrounding neighbourhood also benefits from access to one (1) large grocery store along Rideau Street approximately 100 metres south of the site – Loblaws at 363 Rideau Street and one (1) specialty grocery store within a 10-minute walk – La Bottega Nicasastro at 64 George Street. The property is also located approximately 900 metres east of the Rideau Centre.

The site is well-served with respect to parks, community facilities and institutions being within walking distance of the following:

- / Major's Hill Park;
- / Jules Morin Park;
- / Macdonald Gardens Park;
- / Confederation Park;
- / University of Ottawa Campus;
- / ByWard Market;
- / De La Salle Public High School; and,
- / Elisabeth Bruyère Hospital.

3.0

Proposed Development and Design Brief

3.1 Proposed Development

Smart Living GP Inc. has retained Woodman Architect and Associates Ltd. to prepare a redevelopment which proposes to construct a mid-rise, residential L-shape development over a total of nine (9) storeys. Along the north wing, it transitions from nine (9) storeys to six (6) storeys and further to a one (1) storey podium. The proposal includes a total of 421 residential units including a mix of studios, one-, two-, and three-bedroom units. The building follows the irregular L-shape of the property and proposes a well articulated entrance along Nelson Street. The building has a total height of 30 metres, conforming to the previously approved Zoning By-law Amendment for 112 Nelson Street.

The building contains a GFA of 14,018 square metres. Vehicle parking is proposed to be located within a one (1) level underground parking garage, 18 residential parking spaces, 17 visitor parking spaces and 5 car share parking spaces are proposed. A total of 482 bicycle parking spaces are proposed to be provided in the underground parking garage.

The main entrance to the residential units will be from a lobby via Nelson Street. Regular vehicle access to the underground parking garage is through a proposed two-way ramp that is to be located on the south side of the building off Nelson Street. Storage, including waste collection needs for the proposed development, will be contained within the building to minimize any disruption to adjacent properties.

A generous combination of common indoor and outdoor amenity areas and private balconies are proposed for residents, while a landscaped, path winding around the eastern, southern and northern periphery accessed from Nelson Street provides the opportunity for intimate outdoor space at-grade. A total of 2,590 square metres of amenity space is provided, including 419 square metres of rooftop amenity space.

3.2 Building Design

3.2.1 Building Massing and Transition

In response to neighbourhood context the proposed development has been shaped to respect and reflect the surrounding and planned function of the area as it transitions from the high-rise node along Rideau Street to the south towards the lower profile area to the north along York Street. The building also responds to the existing and planned context along King Edward Avenue Mainstreet Corridor, characterized by mid-rise building heights.



Figure 6: East Facing Elevation (King Edward Avenue)



Figure 7: West Facing Elevation (Nelson Street)

In addition to the use of various strategically placed setbacks, the mass of the building is further broken up through the use of differing material, fenestration, and balconies. Materiality of the proposal has been inspired by the eclectic finishing displayed within the surrounding neighbourhood. The five-storey podium with frontage along Nelson Street is reinforced through the high-quality materials that compliment the existing streetscape. A setback above the fifth floor along the Nelson Street frontage also ensures that the ninth floor is recessed from the neighbouring residential properties. Along the east wing, the building face is significantly stepped back to ensure that the building is further recessed from the neighbouring residential properties with frontage along York Street. This is enhanced by an additional setback above the six (6) storey podium ensuring that nine (9) storey portion of the proposal is setback from the northern property line and the neighbouring residential properties. The proposed setbacks and setbacks reduce the overall massing of the building while ensuring an appropriate transition to the neighbouring low-rise residential neighbourhood to the north and east. These elements also ensure that the 9th floor is architecturally integrated into the building. This proposal implements the massing that was contemplated and approved through the previous re-zoning.

3.2.2 Views

The views along Nelson Street, York Street, King Edward Avenue and Rideau Street demonstrate how the building setbacks and materiality complement the existing context and provide transition. The outdoor terrace above the 6th floor is located to take advantage of sunlight exposure for users, while also reducing massing impacts for neighbouring residents. The residential nature of the building allows for balconies, creating visual interest and architectural articulation, while providing private amenity space for residents. The ninth floor has been significantly pulled back from the northern property line thereby mitigating any overlook impacts and ensuring visual interest of the proposed building.

The building design includes a range of materials, including brick and metal cladding and colours intended to create a unique and recognizable character for the development. Specifically, the materiality has been chosen to carefully break up the building façade, delineating the podium. Ground level façades are fenestrated to create a positive relationship and interface between the building and the public realm.



Figure 8: Nelson Street Perspective

3.2.3 Streetscape and Public Realm

The proposed development includes improvements along the public right-of-way, including Nelson Street. A generous amount of glazing and cantilevered second floor creates a strong street presence. Further, a recessed parking garage entrance avoids any interruptions in the active frontage along the street while reducing conflicts between vehicles, pedestrians and cyclists.

The treatment of the five-storey podium, with generous windows provides visual transparency and improved safety for pedestrians in the area. The podium along Nelson Street has been designed to reinforce the street edge, but also to mimic adjacent buildings in height and mass to compliment the public realm. The pedestrian wind study completed by Gradient Wind Engineering confirmed that wind conditions over surrounding sidewalk, within the proposed outdoor, amenity spaces at the second and seventh level, and in the immediate vicinity of the building are predicted to be largely suitable for intended uses throughout the year.

The L-shaped design of the building allows for natural light and balcony space to be maximized for all units, while allowing for an internal green path along the base of the building. This green path and proposed landscape buffer long the periphery of the building offers an intimate outdoor setting accessible to residents. Softscape materials such as trees, shrubs and raised planter beds provide elements that will further animate the space and visually improve the space from its current condition.



Figure 9: Nelson Streetscape

3.3 Heritage Considerations

The subject property is within close proximity to two (2) individually designated heritage properties under Part IV of the Heritage Act. The properties are 351 King Edward Avenue (Hydro Substation #4) and 375 King Edward Avenue (Adath Jeshurun Synagogue).

3.3.1 Hydro Substation #4

Built in 1931 the substation on King Edward Avenue was designed by architect William Beatie in the art deco style. The building is one of several substations built by Hydro Ottawa in the early 20th century, which are still operated by Hydro Ottawa.

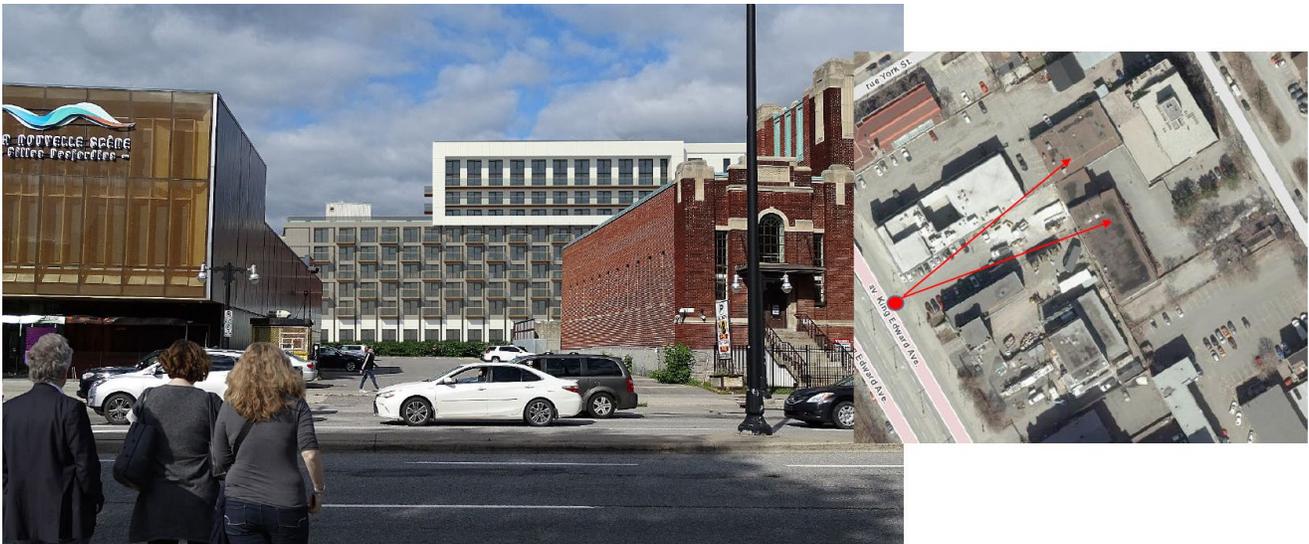


Figure 10: Street view from King Edward Avenue showing 351 King Edward (Hydro Substation #4)



Figure 11: View from King Edward Avenue showing 351 King Edward ((Hydro Substation #4)

3.3.2 Adath Jeshurun Synagogue

Built in 1904, the Adath Jeshurun Synagogue was home to Ottawa’s first Jewish congregation and designed by architect John W.H. Watts. Originally the synagogue served Jewish immigrant families. Their offspring and other Jews moving to the city joined in worship there till 1957, when that congregation joined with another to form the Beth Shalom congregation to a location further south. The building then served as a location for memorial services for members of the new congregation who had passed away. That was until its sale to the Ottawa Conference. As it originally helped to welcome Eastern European immigrants to the new country, now it serves as the religious home for new immigrants from Haiti and Africa. Because of the building’s historical and artistic importance, in 2016 the City of Ottawa declared the structure a heritage building.

Standing in front of this heritage building on King Edward Avenue, the proposed development cannot be seen. The proposed development is far enough away from the Adath Jeshurun Synagogue that it does not impact the heritage character nor impose any other adverse impacts on it.

3.4 Sustainable Design Features

3.4.1 Low Carbon Living

112 & 134 Nelson Street is designed to reduce carbon emissions when built by implementing the following;

- / Optimized window-to-wall ratio
- / Improved glazing system performance
- / Increased air tightness
- / High performance wall assemblies with minimized thermal bridging
- / Low-carbon thermal energy for heating and cooling
- / Low-flow water fixtures
- / Renewable energy generation

3.4.2 Sustainable Building

112 & 134 Nelson Street will demonstrate excellence in sustainable building design. It is designed to operate efficiently and sustainably through attention to indoor and outdoor water use, waste stream management, indoor air quality, and environmentally-friendly material selection.

The proposed development provides for compact infill development that makes efficient use of underutilized urban lands. The proposed development encourages alternative modes of transportation. Bicycle use, transit, and shared car use is encouraged over the use of private automobiles.

3.4.3 Parking Minimums

Vehicle parking is proposed to be located within a one (1) level underground parking garage, providing 18 residential parking spaces and 17 visitor parking spaces. To help offset this, a total of 482 bicycle parking spaces are proposed in the underground parking garage.

Minimum vehicular parking requirements are a common feature of zoning by-laws in municipalities across North America. The logic behind these parking minimums assumes that if parking is not required by the zoning by-law, it will be under-provided, and lead to negative impacts, primarily spillover parking.

Parking minimums create significant environmental, economic, and social harms by mandating the over-provision of parking. Parking spaces are costly, whether they are surface parking spaces that create an opportunity cost, or below-grade spaces that are extremely expensive to construct. These costs are typically passed to residents, impacting housing affordability. Oversupply of parking has a high environmental impact because it incentivizes driving at the expense of transit use, reduces density, and requires that more land or building area be dedicated to vehicle storage. Excess parking also undermines the quality of urban environments, making it more difficult to achieve pedestrian-friendly, 15-minute communities.

4.0 Policy and Regulatory Framework

4.1 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The Planning Act requires that decisions affecting planning matters “be consistent with” policy statements issued under the Act.

The PPS encourages planning authorities to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs. The PPS also encourages efficient development patterns which optimize the use of land, resources and public investment in infrastructure and public service facilities.

The proposed development meets the following policies of the PPS, among others:

Policy 1.1.3.1 of the PPS states that 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.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in Policy 1.1.3.3, where this can be accommodated.

According to **Policy 1.1.3.3** of the PPS, 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.

Policy 1.4.3 of the PPS states that 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:

- a) establishing and implementing minimum targets for the provision of housing which is affordable for low- and moderate-income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
 1. 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
 2. 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
- f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Policy 1.6.7.4 of the PPS states that 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.

Policy 1.8.1(b) of the PPS states that 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 promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas.

The proposed rezoning is consistent with the Provincial Policy Statement. As a site located in an established neighbourhood and within proximity of Light Rail Transit, the redevelopment of the subject property advances the provincial goals of healthy, livable and safe communities that efficiently use infrastructure, improve the range and mix of housing types, and support transit use. This site possesses significant development potential in an area where infrastructure and public service facilities are available and abundant.

4.2 City of Ottawa Official Plan (2022)

The Official Plan for the City of Ottawa was approved November 4, 2022. The Plan provides a framework for the way that the City will develop until 2046 when it is expected that the City's population will surpass 1.4 million people. The Official Plan directs how the city will accommodate this growth over time and set out the policies to guide the development and growth of the City.

4.2.1 Strategic Directions

The Official Plan proposes five (5) broad policy directions as the foundation to becoming the most liveable mid-sized city in North America over the next century. These moves include the following:

- 1) **Achieve, by the end of the planning period, more growth by intensification than by greenfield development.**
Ottawa is projected to grow by 402,000 people by 2046, requiring 194,800 new households. The Official Plan assigns a 60 per cent share of future growth within Ottawa's existing built-up area by putting in place zoning and other mechanisms that avoid or delay further boundary expansions. The remainder of growth will take place through greenfield development in undeveloped greenfield lands and additional developable land assigned through urban boundary expansion.
- 2) **By 2046, the majority of trips in the city will be made by sustainable transportation.**
The mobility goal of the Official Plan is that by 2046, more than half of all trips will be made by sustainable transportation. 40 per cent of Ottawa's current greenhouse gas emissions are transportation related. Sustainable transportation options are fundamental to 15-minute neighbourhoods and vibrant communities. Achieving this goal relies on the City's investments in transit, particularly the construction of further stages of Light Rail Transit (LRT) and funding of other rapid transit initiatives.
- 3) **Improve our sophistication in urban and community design and put this knowledge to the service of good urbanism at all scales, from the largest to the very small.**
A goal of the Official Plan is to contribute towards stronger, more inclusive and more vibrant neighbourhoods and Villages. The Official Plan introduces a transect approach to distinguish Ottawa's distinct neighbourhoods and rural Villages, resulting in policies that are better tailored to an area's context, age and function in the city. Policies

associated with land use designations, including Hubs, Corridors, Neighbourhoods and Rural Villages are specific to the context of each transect.

4) Embed environmental, climate and health resiliency and energy into the framework of our planning policies.

The Official Plan contains policies to encourage the evolution of neighbourhoods into healthy, inclusive and walkable 15-minute neighbourhoods with a diverse mix of land uses. It also includes policies to help the City achieve its target of 100 per cent greenhouse gas emissions reduction by 2050, its target of a 40 per cent urban forest canopy cover and to increase the City's resiliency to the effects of climate change.

5) Embed economic development into the framework of our planning policies.

In the Official Plan, an economic development lens is taken to policies throughout. While land use policies in the Official Plan alone do not ensure economic development, they provide a foundation for other City initiatives and programs to support economic development. In the Plan, flexible land use designations are adaptable to changing economic conditions, new industries and ways of doing business. The Official Plan also supports a broad geographic distribution of employment so that people have the choice to work closer to where they live.

4.2.2 Cross-Cutting Issues

Some of the City's policy goals require implementation policies that span multiple themes and fall under a number of other City policies, plans, by-laws and practices. Six cross cutting issues have been identified that are essential to the achievement of a liveable city, which are implemented through the policies in multiple sections of the Official Plan:

- / Intensification
- / Economic Development
- / Energy and Climate Change
- / Healthy and Inclusive Communities
- / Gender Equity
- / Culture

Many of these cross-cutting issues are addressed in other City policy documents and plans, and consequently, the Official Plan needs to be read in conjunction with those other policy documents.

4.2.3 Urban Design

Urban Design is the process of giving form and context to a city to create the theatre of public life. It concerns the design of both the built form and the public realm. Urban design plays an important role in supporting the City's objectives such as building healthy 15-minute neighbourhoods, growing the urban tree canopy and developing resilience to climate change. New development should be designed to make healthier, more environmentally sustainable living accessible for people of all ages, genders and social statuses. Section 4.6 of the Official Plan provides framework to outline the City's urban design program. The proposed development meets the following Urban Design policies among others:

Policy 4.6.5.3 states that 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 access should be used to limit interruptions along sidewalks.

Policy 4.6.6.2 states that transition between mid-rise and high-rise buildings, and adjacent properties designated as Neighbourhood, will be achieved by providing a gradual change in height and massing, through the stepping down of buildings, and setbacks from the low-rise properties, generally guided by the application of an angular plane or other means in accordance with Council-approved Plans and design guidelines.

Policy 4.6.6.7 states that 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;
- c) Be generally proportionate in height to the width of the right of way;
- 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 mid-rise development is consistent with the built form character of the surrounding context and provides for an enhanced public realm along Nelson Street. The proposed step backs help to transition from the higher density built form along Rideau Street to a low-rise built form north of the subject property. The overall design conforms to the Urban Design policies outlined in section 4.6 of the Official Plan.

4.2.4 Transect and Land Use Designation

Schedule A of the Official Plan divides the City into six (6) concentric policy areas called Transects. Each Transect represents a different gradation in the type and evolution of built environment and planned function of the lands within it, from most urban to rural.

The subject property is in the Downtown Core Transect and is designated as Neighbourhood with the Evolving Neighbourhood Overlay. The following policies apply to the subject property:

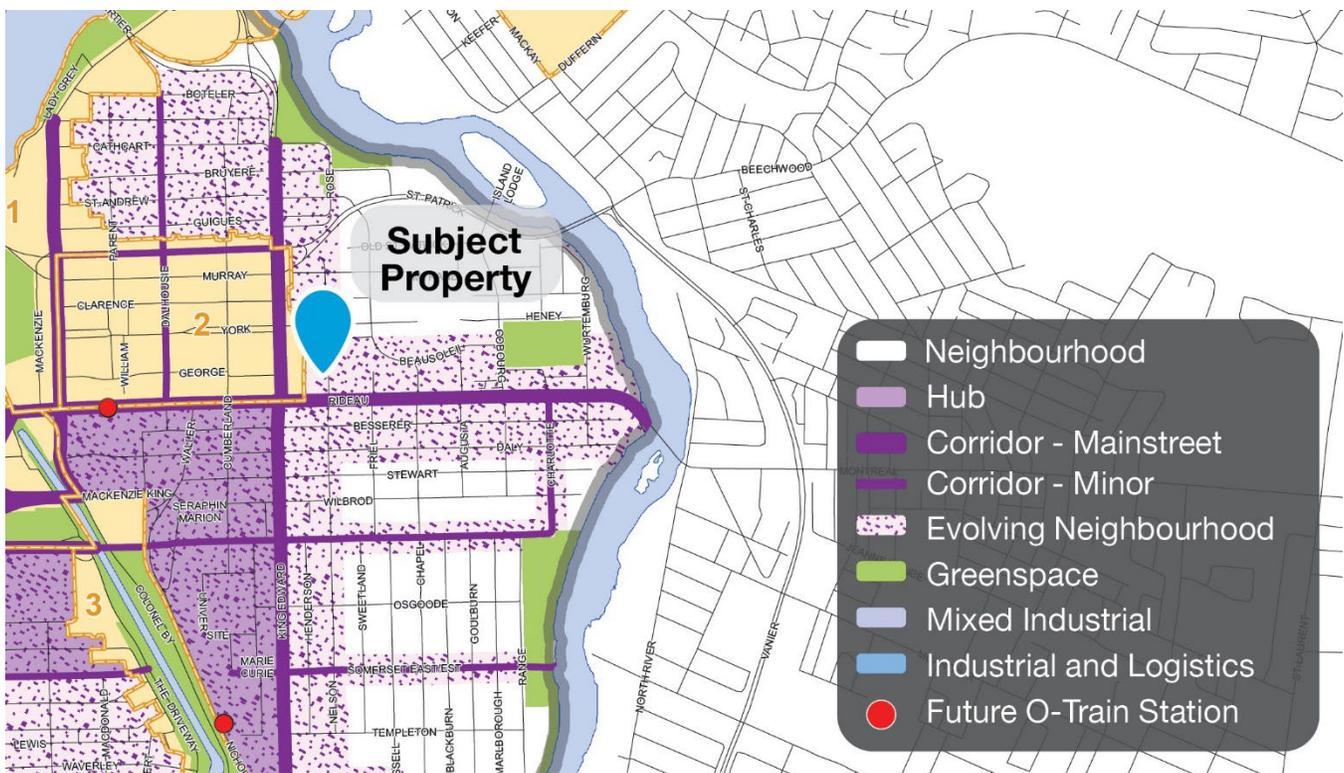


Figure 12: Schedule B1 - Downtown Core Transect

Policy 5.1.1.1 states that the Downtown Core Transect has an established and intended built form that is urban. All development shall maintain and enhance the urban pattern of built form and site design.

Policy 5.1.1.2 states that 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.

Policy 5.1.1.4 states that the public realm in the Downtown Core should be of a consistently high quality that compensates for the smaller public, private and semi-private spaces available in the core.

Policy 5.1.2.3 states that in the Downtown Core motor vehicle parking shall not be required in new development, other than visitor parking for large-scale residential development.

Policy 5.1.5.1 states that Neighbourhoods located in the Downtown Core shall accommodate residential growth to meet the Growth Management Framework as outlined in Subsection 3.2, Table 3b. The Zoning By-law shall implement the density thresholds in manner which adheres to the following:

- a) Allows and supports a wide variety of housing types with a focus on missing-middle housing, which may include new housing types that are currently not contemplated in the Official Plan;

Section 6.3 outlines the policies for lands designated as Neighbourhood.

Policy 6.3.1.2 states that permitted building heights in Neighbourhoods shall be Low-rise, except:

- a) Where existing zoning or secondary plans allow for greater buildings heights; or
- b) In areas already characterized by taller buildings.

Policy 6.3.1.3 states that development in the Neighbourhood designation which seeks additional height beyond 4 storeys:

- a) May be evaluated through a Zoning By-law amendment, without the need to amend the Official Plan, in cases that fall under the provisions of Subsection 6.3.1 Policy 2) but where the zoning does not provide corresponding permissions.

4.2.5 Evolving Overlay

The Evolving Neighbourhood Overlay is applied to areas that are located or at a stage of evolution that create the opportunity to achieve an urban form in use, density, built form, and site design. The evolving overlay generally applies to lands with 150 metres from a Corridor or Hub.

Policy 5.6.1.1 states that 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 B-law, providing:

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

Policy 5.6.1.2 states that 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.

4.2.6 Growth Management Framework

Ottawa’s population is projected to grow by 40 per cent between 2018 and 2046 with 51% of that growth targeted to occur through intensification within the built-up areas of the City. This overall intensification target is anticipated to be achieved through a gradual increase in intensification over the life of the Official Plan (stepping from 40% in 2018 up to 60% by 2046).

Intensification is anticipated to occur in a variety of built forms and height categories, from Low-rise to High-Rise 41+ buildings, provided density requirements are met. The Official Plan defines four (4) height categories, including:

- / Low-rise: up to and including 4 storeys;
- / Mid-rise: between 5 and 9 full storeys;
- / High-rise: between 10 and 40 full storeys; and,
- / High-rise 41+: 41 full storeys or taller.

Residential intensification is permitted in all designations where development is permitted and should occur in a variety of dwelling unit sizes to provide housing choice (**Policy 3.2.8**). The Official Plan defines two broad dwelling size categories:

- / Small-household dwellings are units with up to 2 bedrooms and are typically within apartment-built forms; and,
- / Large-household dwellings are units with three or more bedrooms, or an equivalent floor area, and are typically within ground-oriented built forms.

Density and dwelling targets are mentioned in the above section and Tables 2 and 3b in the Official Plan.

Table 3b – Neighbourhood and Minor Corridor Residential Density and Large Dwelling Targets

Applicable Area	Target Residential Density Range for Intensification, Dwellings per Net Hectare	Minimum Proportion of Large-household Dwellings within Intensification
Downtown Core Transect	80 to 120	Within the Neighbourhood designation: Existing lots with a frontage 15 metres or wider: / Low-rise - target of 25% / Mid-rise or taller - target of 5 %

The proposed development meets the intensification targets by providing intensification within the Downtown Core transect that includes large household dwellings of three or more bedrooms.

Overall, the proposed development conforms with the policies of the Official Plan by providing for mid-rise, residential intensification on an underutilized lot within the Downtown Core Transect. The proposed develop helps to achieve the goals of the Official Plan including the goal to create 15-minute communities.

4.3 Bird Safe Design Guidelines

The City of Ottawa recognises that birds are an essential part of our environment, and that their ability to survive in our city is threatened in part by its buildings and structures. The purpose of the guidelines are to inform building, landscape and lighting design at the planning stage of private or public development projects to minimize the threat of bird collisions.

Some of the key guidelines most relevant to the proposed development are as follows:

- / Guideline 1: Consider the environmental context
- / Guideline 2: Minimize the transparency and reflectivity of glazing
- / Guideline 3: Avoid or mitigate design traps
- / Guideline 4: Consider other structural features
- / Guideline 5: Create safe bird-friendly landscaping

The design of the proposed development will consider these guidelines to minimize bird strikes.

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

134 Nelson is currently zoned General Industrial, Subzone 1, Height 11 metres – IG1 H(11).

The purpose of the General Industrial zone is to:

- / Permit a wide range of low to moderate impact, light industrial uses;
- / Allow a variety of complimentary uses such as recreational, health and fitness uses and service commercial, occupying small sites as individual occupancies or in grouping as part of a small plaza, to serve the employees of the employment area, the general public and passing traffic;
- / Prohibit retail uses in employment areas but allow limited sample and showroom space that is secondary and subordinate to the primary use of the buildings for the manufacturing or warehousing of products;
- / Provide development standards that would ensure that the industrial uses would not impact the adjacent non-industrial areas.

The proposed residential uses are not appropriate for the general industrial zone and therefore a major zoning by-law amendment is requested to rezone 134 Nelson to a residential zone.

112 Nelson is currently subject to the 'Residential Fifth Density Zone, Subzone B, Urban Exception 2664, Schedule 421, Holding Symbol – R5B[2664] S421-h.

The purpose of the R5 zone is to:

- / Allow a wide mix of residential building forms ranging from detached to mid-high rise apartment dwellings in areas designated General Urban Area, Mixed Use Centre or Central Area in the Official Plan;
- / Allow a number of other residential uses to provide additional housing choices within the fifth density residential area;
- / Permit ancillary uses to the principal residential use to allow residents to work at home and to accommodate convenience retail and service uses of limited size;
- / Ensure that residential uses predominate in selected areas of the Central Area, while allowing limited commercial uses; and
- / 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.

The R5B subzone permits **mid-rise apartment dwellings**.

It should be noted that while the subject property is located within the Mature Neighbourhoods Overlay, the provisions of the section regulate low rise-built form.



Figure 13: Zoning Map

4.4.1 Zone Provisions and Analysis

Considering both addresses will be combined the approach is for one zone to be applied. For the most part, the Residential Fifth Density, Subzone B, Urban Exception 2664, Schedule 421 currently in place for 112 Nelson will work for the proposed project extended to include 134 Nelson as summarized in the table below.

Zoning Mechanism	Requirement	Proposed	Compliance
Minimum Lot Area	1,400 m ²	3,642 m ²	Yes
Minimum Lot Width	18.4 m	28 m	Yes
Maximum Building Height	30 m	30 m	Yes
Permitted projections above height limit	Mechanical/Service Penthouse: 4.5 m	Height of Mechanical Penthouse: 4.5 m	Yes
Maximum heights for individual storeys Schedule 421	1 storey: 4 m 4 storeys: 14 m 5 storeys: 17 m 9 storeys: 30 m	1 storey: 4 m 4 storeys: 14 m 5 storeys: 17 m 9 storeys: 30 m	Yes
Minimum Front Yard Setback Schedule 421	Along Nelson: 3 m and additional 2 m stepback above 5 th storey	3m and additional 2m stepback above 5th storey	Yes
Minimum Rear Yard Setback Schedule 421	3 m – 6.3 m	2 m to retaining wall 3 m – 7.7 m to building	No

Zoning Mechanism	Requirement	Proposed	Compliance
Minimum Interior Side Yard Setback Schedule 421	<p>Southern interior lot line: 1.5m – 4.5m with additional 1.5m setback above 4th storey</p> <p>Eastern interior lot line (abutting 110 Nelson): 4.5m with additional 1.5m setback above 4th storey with a 1.7m setback above 5th storey</p> <p>Northern interior lot line (abutting 100 Nelson): 4.5m with an additional 1.5m setback above 4th storey to a maximum height of 5 storeys</p>	<p>4.4m – 6.6 m</p> <p>4.5 with additional 1.5 stepback above 4th storey with a 1.7 m stepback above 5th storey</p> <p>4.5 with an additional 1.5 m stepback above the 4th storey</p>	Yes
Minimum Landscaped Area	$30\% \times 3,642 \text{ m}^2 = 1,093 \text{ m}^2$	1,480 m ²	Yes
Amenity Area	Total min. 6m ² /unit = 421 x 6 = 2,526 m ² a minimum of 50% of the required total must be communal = 1,263 m ²	Total: 2,590 m ² Private Balcony: 1,073 m ² Communal: 1,517 m ²	Yes
Min. Vehicle Parking Spaces	0.4/DU - 12 units = (421-12 x 0.4) = 164 spaces	18 spaces	No
Min. Visitor Parking	0.04/DU 17 spaces	17 spaces	Yes
Parking Space Dimensions	Min: 2.6m wide / 5.2m long	Min: 2.6m wide / 5.2m long	Yes
Bicycle Parking Spaces	0.5 spaces per unit = 421 x 0.5 = 210 spaces	482 spaces	Yes
Access Aisle for Bicycle Parking	Minimum width: 1.5m	Minimum width: 1.5m	Yes
Dimension and type of Bicycle Parking Spaces	<p>Min: 0.6m wide/1.8m long (horizontal)</p> <p>Min: 0.5m wide/1.5m long (vertical)</p> <p>Minimum 50% must be horizontal at ground level</p>	<p>0.6m wide/1.8m long (horizontal)</p> <p>0.5m wide/1.5m long (vertical)</p> <p>Minimum 50% must be horizontal at ground level</p>	Yes

Zoning Mechanism	Requirement	Proposed	Compliance
Driveway Width	Minimum width of a driveway providing access to a parking lot or parking garage is 6 m for a double traffic lane for a parking garage.	Double traffic lane providing access to parking garage is 6.7m wide.	Yes
Aisle Width	Min. 6.0 m	6.0 m	Yes

4.4.2 Proposed Zoning By-law Amendment

As highlighted above a Zoning By-law Amendment is required to support the redevelopment as proposed. The zoning for 134 Nelson Street will need to change to permit residential to be the main use and R5B exception will need to be altered to accommodate the development specific requirements as outlined below.

- / **Rezone 134 Nelson Street to permit residential:** A mid-rise, residential building conforms with the Official Plan's direction for this area. This section of Lowertown is predominantly residential and industrial uses are no longer the desired direction for this area. A residential zone aligns with the character and uses of the surrounding properties. Further there are no concerns from an environmental perspective if changed to a more sensitive land use.
- / **Minimum Resident Vehicle Parking:** The developer is seeking a reduction of the minimum resident parking from the required minimum of 164 spaces to 18 spaces. Considering the subject property's proximity to amenities on Rideau Street, King Edward Avenue and to the Rideau LRT Station, and as parking demand in the Downtown Core tends to be trending downwards, this amendment is appropriate. Efforts have been taken in the design to encourage active transportation by proposing a total 482 bicycle parking spaces, which far surpasses the Zoning By-law requirement. The proposal will also include a total of nine (9) scooter parking spaces. Car-share initiatives are also being explored and spaces have been allocated in the proposal. The reduction in required resident parking will facilitate the development of a high-density, residential building and support public transit use, in conformity with the policies of the Official Plan and consistent with the intensification objectives of the PPS. Given the small size of the lot, at least one additional level of underground parking would be required to meet the current zoning standard. Below-grade parking spaces are costly to construct and negatively impacting the affordability of created dwelling units.
- / **Minimum Visitor Parking:** exception 2664 sets a minimum of 6 spaces are required for visitor parking. This was approved for a development of 150 units. The proposal is to maintain the same rate of visitor parking spaces, albeit for a development of 421 units. This equates to a total of 17 visitor parking space.
- / **Rear Yard Setback:** The proposed reduction in the required rear yard is to accommodate a low retaining wall along the rear property line. The wall is constructed as part of the foundation and therefore is considered part of the main building and not a landscaped feature. The actual setback for the proposed building complies with Schedule 421.
- / **Removal of h symbol:** The existing R5B[2664] S421-h applicable to 112 Nelson has a holding symbol that may only be removed following the registration of a Section 37 agreement. A Section 37 agreement was previously drafted through the previous Zoning By-law Amendment in 2017, however it was never executed. Since then, the legislation has changed, resulting in a new Community Benefits Charge By-law which will be applied to all development above 5 storeys. It is understood that this project will be required to comply with the new requirements so no holding zone necessary.

5.0 Supporting Studies

5.1 Site Servicing Report

A Site Servicing Report was prepared by WSP reflecting on the servicing requirements for the redevelopment proposed at 112 and 134 Nelson Street. It concluded that the proposed development can meet all provided servicing constraints and associated requirements by providing the following;

- Twin 150mm, water services from Nelson St.
- A 150mm sanitary sewer with a minimum slope of 1% to the 300mm sewer on Nelson St.
- A 250 mm storm service connection with a proposed maintenance hole on the existing 450 mm storm sewer on Nelson St.
- A network of roof and surface inlets and storm sewers that will be directed to the underground cistern located within the building footprint on the east side of the building. A flow restrictor will be required to reduce the post-development flows to the allowable rate.

5.2 Transportation Impact Assessment

CGH Transportation was retained to prepare a Transportation Impact Assessment (TIA) for 112 and 134 Nelson Street. The TIA acknowledges that the proposed development does not meet the required parking spaces rate of the zoning by-law. However, the TIA notes that spillover parking is not anticipated to be an issue with the availability of off-street private parking within close proximity to the site.

5.3 Traffic Noise Assessment

Gradient Wind Engineering Inc. was retained to prepare a roadway traffic noise assessment for 112 Nelson Street. Gradient prepared an addendum letter to address changes in the site plan with the addition of 134 Nelson. The addendum letter concludes that the site plan changes do not greatly alter the noise impacts from nearby transportation noise sources and the initial recommendations and conclusion of their traffic noise report remain unchanged.

5.4 Pedestrian Level Wind Study

Gradient Wind Engineers & Scientists (Gradient) reviewed the previously prepared Pedestrian Level Wind Study which evaluated the wind conditions at grade surrounding the previously proposed development. The study also considered wind conditions on outdoor communal amenity areas provided on the proposed rooftop terrace.

It is their conclusion that the incorporation of 134 Nelson Street in to the project does not affect the conclusion of the Study. The wind conditions over surrounding sidewalks, building access points, transit stops, nearby parking lots and in the immediate vicinity of the building are predicted to be largely suitable for the intended pedestrian uses throughout the year. Conditions along Nelson Street are predicted to be suitable for strolling throughout the year. Moreover, it was noted that wind conditions within the roof garden at Level 2 as well as the communal amenity terrace at Level 7 are predicted to be calm and suitable for the intended uses of the spaces throughout the year.

5.5 Geotechnical Study

Paterson Group prepared a Geotechnical Study for the subject property as part of the current application. The study concludes that from a geotechnical perspective, the subject site is considered adequate for the proposed development. Based on the subsurface conditions encountered in the test holes and the anticipated building loads, it is expected that an end bearing piled foundation, or a raft foundation placed over either a stiff silty clay

or compact glacial till bearing surface will be suitable for the proposed building with 1 level of underground parking.

5.6 Phase One Environmental Site Assessment

Paterson Group completed the Phase I Environmental Site Assessment (ESA) for the subject property, researching the past and current use of the site and study area to identify any environmental concerns. Based on a review of available historical information, the subject site was first developed with industrial uses, circa 1940.

Based on the review, evaluation, and interpretation of the information obtained from the records review, interviews and site reconnaissance, potential ACMs including vinyl floor tiles, suspended ceiling tiles, and drywall joint compound were explored. These materials were generally observed to be in good condition, but the report concluded that an asbestos survey should be conducted in accordance with O.Reg 278/05.

Based on the results of this assessment, it was concluded that a Phase II –Environmental Site Assessment was required for the subject site.

5.7 Phase Two Environmental Site Assessment

Further to the identification of Areas of Potential Environmental Concern (APEC) on the site as per the Phase I ESA, Paterson Group completed the Phase II ESA for the subject property.

Eight soil samples were submitted for laboratory analysis of either VOCs, PHCs (F1-F4), metals, PAHs, PCBs, EC/SAR, and/or pH parameters. Based on the analytical test results, the upper fill material in the vicinity of BH2-22 is contains concentrations of lead, multiple PAH parameters, as well as an elevated electrical conductivity level in excess of the selected MECP Table 3 Coarse-Grained Residential Soil Standards. Additionally, an elevated electrical conductivity concentration was detected at BH3-22. The presence of these contaminants are suspected to be the result of poor quality fill material placed in these areas, however, the electrical conductivity exceedances are considered to be a results of the application of a substance to surfaces for vehicular and pedestrian traffic during conditions of snow or ice or both, and as such, the levels of electrical conductivity are deemed to have met the site standards.

Three boreholes were drilled as part of the Phase II ESA, which were completed as monitoring wells. The Phase II ESA investigation determined that all parameter concentrations in the soil samples analyzed comply with the selected MECP Table 3 residential standards. Three groundwater samples were submitted for laboratory analysis of either VOCs, BTEX, PHCs (F1-F4), PAHs, and/or PCB parameters. Based on the analytical test results, all detected parameter concentrations comply with the selected MECP Table 3 Coarse- Grained Residential Soil Standards.

6.0 Public Consultation Strategy

In partnership with the City of Ottawa, all public engagement activities will comply with Planning Act requirements, including circulation of notices and the Statutory Public Meeting. The following Public Engagement steps and activities have already been undertaken in preparation of this application submission or will be undertaken in the following months after the application has been submitted.

Pre-Application Consultation Meeting

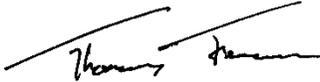
- / A pre-Application Consultation Meeting was held with City Staff and the applicant team on November 23, 2022, A member from the local community association was present.
- / Information Package sent to Ward Councillor, Plante via email January 13th, 2023.
- / Community “Heads Up” to local community association will be completed by the City of Ottawa during the application process.
- / A community public meeting was held on September 16th, 2021, to inform the community about the previous, proposed development. The former councillor Fleury was in attendance.
- / Community Information Session
 - If requested buy the Ward Councillor, a community information session will be held to discuss the revised redevelopment proposal.
 - It is anticipated that the community information session would be held in an online format organized by the Ward Councillor and their staff.
- / Planning Committee Meeting Advertisement and Notice mailed out to the public.
 - Notification for the statutory public meeting will be undertaken by the City of Ottawa.
- / Statutory Public Meeting for the Zoning By-law Amendment – Planning Committee
 - The Statutory public meeting will take place at the City of Ottawa Planning Committee.

7.0 Conclusion

It is our professional planning opinion that the proposed Zoning By-law Amendment and revised Site Plan Control applications for 112 and 134 Nelson Street constitutes good planning and is in the public interest. As outlined below:

- / The proposed development is **consistent with the Provincial Policy Statement (2020)** by providing residential development that will provide increase choices for housing within an existing and established neighbourhood that is within proximity to transit.
- / The proposed development **confirms to the City of Ottawa Official Plan** by providing for appropriate, transit supportive intensification within the Downtown Core Transect.
- / The requested **Zoning By-law amendments are appropriate** and will not create undue negative impacts on the community or surrounding properties.
- / The proposed **development is supported by technical studies** submitted as part of this application.

Sincerely,



Thomas Freeman, B.URPL
Planner



Lisa Dalla Rosa, RPP, MCRP
Associate