

Planning Rationale Addendum No. 1

384 Arlington Avenue, Ottawa

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May 9, 2023

Mr. Andrew McCreight and Mr. Eric Forhan
Development Review, Central Services
Planning, Infrastructure and Economic Development Department
City of Ottawa
110 Laurier Avenue West
Ottawa, ON K1P 1J1

Via Email: eric.forhan@ottawa.ca

RE: 384 Arlington Avenue, Ottawa
Planning Rationale Addendum No. 1 – Official Plan Amendment

Dear Mr. McCreight and Mr. Forhan,

This Planning Rationale Addendum is intended to address and facilitate the request by City Staff that an Official Plan Amendment (OPA) be submitted along with the previously submitted Zoning By-law Amendment for the proposed development at 384 Arlington Avenue.

Although an OPA has been submitted, it remains Fotenn's professional opinion that the proposed development meets the intent and purpose of the Official Plan framework both at the time of initial submission (OP 2003) as well as following the adoption of the new Official Plan (OP 2022). Fotenn's opinion is that the new policies of the Neighbourhood land use designation in OP 2022 allow the consideration of additional building height and densities without the new for the OPA application, but Fotenn does agree that the additional OPA will increase transparency for the applications requested.

Fotenn previously prepared a Planning Rationale, dated September 1, 2022, to support a Zoning By-law Amendment application for the lands known as 384 Arlington Avenue in the City of Ottawa (the "subject site"). This Addendum, which addresses the required submission of an Official Plan Amendment, should be read in conjunction with the original September 2022 Planning Rationale. All opinions and findings of the original report remain valid, except as otherwise described below.

1.1 Summary of the Application

In September 2022, after pre-application discussions with the City of Ottawa, Fotenn, on behalf of Windmill Developments, submitted a Zoning By-law Amendment application (File no. D02-02-22-0082) to redevelop the subject site with a 24-storey high-rise residential apartment building with a well-defined low-rise building podium and the preservation of portions on an existing church building. The church building is not a designated heritage structure but has heritage-qualities and attributes and it has been mutually agreed upon with Staff that portions of the building could be preserved and make positive contributions to the project, streetscape and district / area.

The Zoning By-law Amendment remains ongoing and seeks to rezone the entirety of the subject site to "Residential Fifth Density, Subzone XXX, Schedule YYY (AM10[XXX] S(YYY))" to permit the proposed development.

The Official Plan Amendment, requested by the City of Ottawa, will seek to implement a site-specific amendment to Policy 6.3.1.2 of Official Plan (2022) to permit the proposed high-rise building.



Figure 1: Proposed development with approved and permitted height and massing indicated (white massings in background).

1.2 Revisions to the Proposed Development

A full inventory of the revisions made to the proposal in response to City’s technical circulation comments will be submitted under separate cover within a comprehensive response document. In short, in collaboration with City Staff, multiple changes were made to, re-orient the tower footprint, advance the prominence of the church, reduce the podium height along Arlington Avenue from four (4) to three (3) storeys, reduce the eight (8) storey middle mass to six (6) storeys, improve tower setbacks from multiple angles, and remove the courtyard landscaped area and provide landscaping along the Bell Street North frontage.

Fotenn is of the opinion that the revisions prepared by Windmill and Neuf Architects address Staff’s urban design comments, and in particular note that 1) the building height and form has the appropriate transition to abutting properties 2) fits within the neighbourhood context and 3) adequately protects the heritage-qualities of the building.

ZBLA SUBMITTED
AUGUST 18TH 2022



RESUBMISSION DESIGN
APRIL 13TH 2023



- 1 SCULPTING THE PODIUMS AND TOWER TO HAVE A BETTER TRANSITION WITH THE SURROUNDINGS.
- 2 90 DEGREES TOWER ROTATION PROVIDING +10M TOWER SETBACK FROM ARTHUR LANE AND BELL STREET.
- 3 REARRANGEMENT OF THE GREEN SPACES ON BELL STREET TO CREATE A LINEAR GREEN SPACE.
- 4 PODIUM HEIGHT IS REDUCED AND PUSHED BACK FROM ARLINGTON AVE.
- 5 IMPROVING THE GREEN TERRACES ON THE ROOF.
- 6 CREATING BIGGER GREEN TERRACES ON ARTHUR LANE.

Figure 2: Summary of Design Changes.

1.3 Official Plan Amendment

Following discussions with city planning staff, it was determined that Staff differed in their interpretation of key policies of the former and current Official Plan framework for the General Urban Area (OP 2003) and the Neighbourhood (OP 2022) designations, that had guided the height of the proposed development.

Specifically, in the City of Ottawa Official Plan (2003, as amended), policy 4 of section 3.6.1 states:

4. Notwithstanding Policy 3, new taller buildings may be considered for sites that:
 - a. front an Arterial Road on Schedules E or F of this Plan and which are:
 - i. within 800 metres walking distance of a Rapid Transit Station on Schedule D of this Plan, or
 - ii. on a Transit Priority Corridor on Schedule D of this Plan. For the purposes of this policy only, the "Transit Street" defined in the Riverside South Community Design Plan is considered an Arterial Road;
 - b. are in an area already characterised by taller buildings or sites zoned to permit taller buildings. [Amendment #150, LPAT October 22, 2018]

The general intent of this policy direction above was carried over from the General Urban Area of Official Plan 2003 to the recently adopted City of Ottawa Official Plan (2022), and the current policy 2 of section 6.3.1 for Neighbourhood Designations states:

2. Permitted building heights in Neighbourhoods shall be Low-rise, except:
 - a. Where existing zoning or secondary plans allow for greater building heights; or
 - b. In areas already characterized by taller buildings.

Further, Official Plan (2022), reinforces this policy framework in Policy 3, as it states:

3. 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 this Plan, in cases that fall under the provisions of Subsection 6.3.1 Policy 2) but where the zoning does not provide corresponding permissions;

** emphasis added.*

Regardless of the difference of opinion pertaining to the necessity for an Official Plan Amendment, Fotenn maintains that the proposal is appropriate and represents good planning. In the initially submitted Planning Rationale, Fotenn was of the opinion that the proposal fully met the criteria outlined in Policy 3.6.1.4 of Official Plan 2003 due to proximity to existing, approved, proposed, and permitted high-rise buildings. To the north and northwest of the 384 Arlington Street property is an area characterized by both low-rise buildings and taller residential buildings, including the 12-storey LIV Apartments, and the approved 10-storey development at 18 Louisa Street. The subject site is framed on three (3) sides by public roads and on one (1) side by a public laneway, an entire city-block, with sufficient separation from abutting dwellings. To the south is Raymond Street and Highway 417. All of these abutting public streets and laneways provide a physical separation and transition between the proposed heights and the surrounding neighbourhoods.

The building form, and in particular the residential density associated with the tower has been located as close as possible to the south side, adjacent to Raymond Street, a single loaded public road and the provincial highway, where the perceived impacts of the height and density can be lessened. While the lands do not have direct frontage on an Arterial Road as per the policy direction, they are located approximately 800 metres from the planned Corso Italia LRT Transit Station. Importantly, the subject site's proximity to Highway 417 and the strategic placement of building height along that interface provides for significant mitigation of adverse impacts on the established community to the north.

The subject site is in proximity to various lots planned for taller buildings in either the zoning by-law or established Secondary Planning framework. As illustrated below (Figure 3) along the Raymond/Catherine corridor east and west of the subject site and north & south of Highway 417, existing Secondary Plans (Corso Italia Station District and Dow's Lake Station District of the West Downtown Core Secondary Plan and East Downtown Core Secondary Plan) have established permitted building heights ranging from 16 to 30 storeys. The proposed development, at 24-storeys, fits well within this established high-rise corridor area and similarly provides for appropriate transition to the low-rise community to the north and noise/sight-line mitigation to Highway 417 to the south.

As previously stated, it remains Fotenn's professional opinion that the policies in both the 2003 and 2022 Official Plans support the proposed development as the area is characterized by tall buildings and a policy framework that permits future tall buildings, in full conformity to the Official Plans and supporting the proposed 24-storey building height profile.

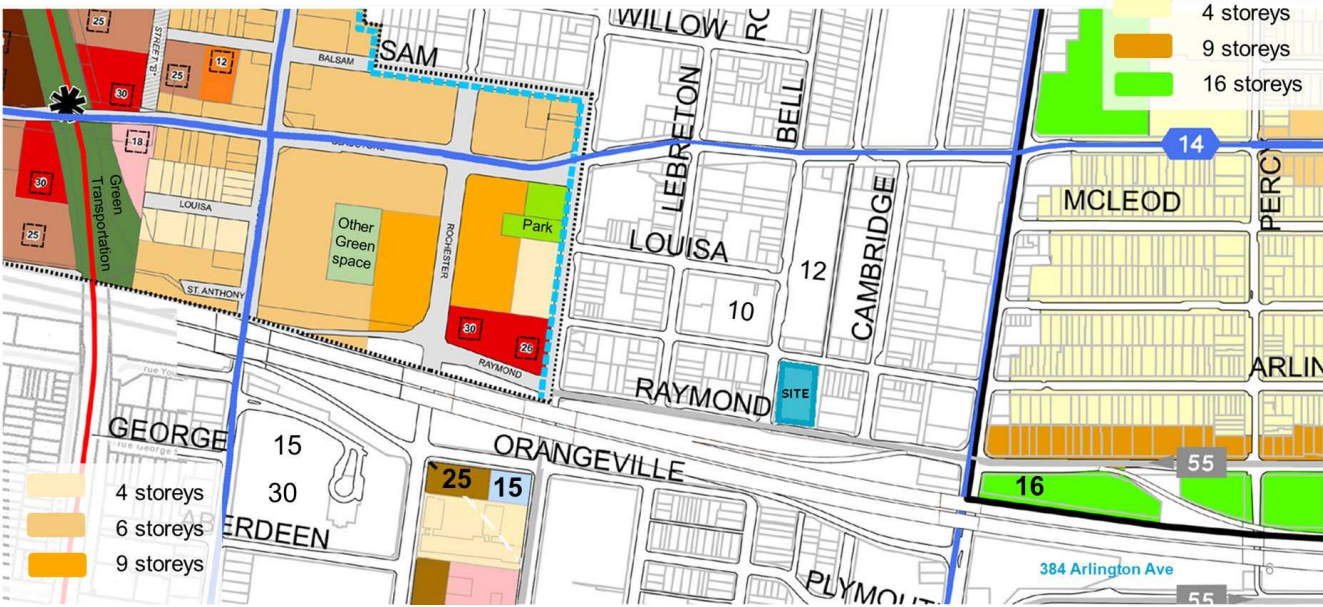


Figure 3: Existing high-rise buildings, and Secondary Plan framework for surrounding area with heights ranging from 16 to 30 storeys.

Fotenn has previously successfully established the position that the context of an area, for the purposes of section 3.6.1 (OP 2003) and 6.3.1 (OP 2022), is determined through a neighbourhood/community wide assessment in which the existing and future context is an important clarifying attribute in determining appropriate building massing and heights, and that design and ability to achieve appropriate transition is the determining factor in building heights as opposed to immediately abutting existing heights.



Figure 4 Proposal from Arlington looking down Arthur Lane.

Further, as informed by the 2003 and 2022 City of Ottawa Official Plan, Fotenn's position is that strategic areas in the Neighbourhood designation should intensify, when in proximity to transit and other taller buildings, regardless of adjacent designations supporting these buildings. The subject site is within 800 metres of the future Corso Italia LRT Station.

The policy direction of both the 2003 and 2022 Official Plans expressly do not establish maximum height parameters for reference when reviewing applications for greater height, but rather directs the application reviewer to consider community context, appropriate transition and massing, and complementing the existing and planned future community character. As such, there are no policies that reference maximum height, or even direction towards observing comparable heights when assessing a ZBLA application for a tall building within General Urban Area/Neighbourhood designation of the Official Plan (2003/2022).

The policies also do not define the boundaries to be considered in determining an area's character, and in Fotenn's opinion, allows for the assessment of existing or zoned taller buildings to extend beyond the most immediately abutting/contiguous properties, but rather allows for the assessment to take into account the broader area, and also areas with different land use designations, including Hubs and Corridors, and areas in proximity to transit stations.

It has consistently been Fotenn's interpretation, which was described in initial pre-application meetings for this file, that the site is in an area characterised by taller buildings; therefore, the proposed 24-storey tower is appropriate under the Official Plan framework. Per discussions with city staff, Fotenn understands that the city asserts that the intent of the policies is not being observed and they therefore require an OPA to facilitate the proposed development. Nevertheless, an OPA is being submitted without prejudice. Equally important, Fotenn does agree that the additional OPA application will increase

transparency for the applications requested, resulting in a site-specific policies in the 2022 OP that will support and enhance the zoning amendment. The OPA is intended to make the Community aware of the policies considered by Fotenn and the City in assessing the zoning application.

1.3.1 Proposed Official Plan Amendment

Notwithstanding the above, in the course of ongoing discussions facilitated through the formal review process, City Staff have indicated that an Official Plan Amendment (OPA) would be required to support a high-rise development on the subject site.

Therefore, as per direction from City Staff, to facilitate the proposed development, an Official Plan Amendment (OPA) is being submitted without prejudice and to facilitate progress on this file. The OPA would address the proposed building height with the following approach:

- / It is proposed that a site-specific policy amendment be made to Section 6.3.1 of Official Plan (2022) that states: “A building with a maximum height of 78-metres is permitted on the site municipally known as 384 Arlington Avenue.”

1.4 Conclusion

It remains Fotenn’s professional opinion that the applications represent good land use planning and are in the public interest. The proposed development continues to be consistent with the direction and policies of the 2003 and 2022 City of Ottawa Official Plans.

Having reviewed the Official Plan Amendment against the applicable planning framework, the proposal remains appropriate for the site, and is in the public interest for the following reasons:

- / The proposed development conforms to the 2003 and 2022 City of Ottawa Official Plan policies by proposing an intensification and building height in an area characterized by taller buildings, identified to accommodate growth, and by providing suitable transition within the block to the neighbourhood to the north;
- / The proposal promotes objectives of the design policies of the 2003 and 2022 City of Ottawa Official plan.
- / The proposed development will add to the diversity of housing types, housing tenures, and built form; and
- / The proposed development generally complies with the proposed R5B subzone and relief requested aligns with the intent of the zone.

Should you have additional questions or require clarification on any of the information provided herein, please do not hesitate to contact the undersigned.

Sincerely,



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