

**Report to  
Rapport au:**

**Planning Committee  
Comité de l'urbanisme  
8 April 2021 / 8 avril 2021**

**and Council  
et au Conseil  
14 April 2021 / 14 avril 2021**

**Submitted on 25 March 2021  
Soumis le 25 mars 2021**

**Submitted by  
Soumis par:**

**Lee Ann Snedden,  
Director / Directrice**

**Planning Services / Services de la planification**

**Planning, Infrastructure and Economic Development Department / Direction  
générale de la planification, de l'infrastructure et du développement économique**

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**Ward: SOMERSET (14)**

**File Number: ACS2021-PIE-PS-0042**

**SUBJECT: Zoning By-law Amendment – 331 Cooper Street**

**OBJET: Modification du Règlement de zonage – 331, rue Cooper**

#### **REPORT RECOMMENDATIONS**

- 1. That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 331 Cooper Street in order to accommodate the conversion of a seven-storey office building to an eight-storey mid-rise apartment dwelling, as detailed in Document 2.**

2. That Planning Committee approve the Consultation Details Section of this report be included as part of the ‘brief explanation’ in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* ‘Explanation Requirements’ at the City Council Meeting of April 14, 2021,” subject to submissions received between the publication of this report and the time of Council’s decision.

## RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l’urbanisme recommande au Conseil d’approuver une modification au Règlement de zonage 2008-250 visant le 331, rue Cooper, afin de permettre la transformation d’un immeuble de bureaux de sept étages en immeuble résidentiel de huit étages (hauteur moyenne), comme l’expose en détail le document 2.
2. Que le Comité de l’urbanisme donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux ‘exigences d’explication’ aux termes de la *Loi sur l’aménagement du territoire*, à la réunion du Conseil municipal prévue le 14 avril 2021 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

## BACKGROUND

Learn more about [link to Development Application process - Zoning Amendment](#)

For all the supporting documents related to this application visit the [link to Development Application Search Tool](#).

### Site location

331 Cooper Street

### Owner

331 Cooper Street Limited (Loredana Porcari)

**Applicant**

Fotenn Consultants (Tim Beed)

**Architect**

Chmiel Architects

**Description of site and surroundings**

The subject property is located in the Centretown community of the Somerset Ward, on the north side of Cooper Street, east of the O'Connor Street Intersection.

The property currently contains a seven-storey office building with parking located at-grade and underneath the building's second storey. The immediate area consists of a mix of uses and is characterized predominantly by residential and commercial uses from low to high rise as you approach the downtown core to the north. The site is located within the Centretown Heritage Conservation District and is within an area affected by a heritage overlay under the Zoning By-law.

**Summary of requested Zoning By-law amendment proposal**

The proposal includes the conversion of the existing seven-storey office building to an eight-storey mid-rise apartment building through internal conversions, an improved front entrance/lobby area and the addition of an eighth floor. The main entrance to the building is to be expanded and relocated closer to the front property line. The proposed mid-rise apartment building would consist of 45 residential dwelling units in a range of sizes and layouts. The existing parking area located at grade is proposed to be re-designed in order to provide a better presence in the public realm. The proposal provides three on-site parking spaces which will be reserved for visitors. 25 bicycle parking spaces are proposed in the existing bicycle room and at-grade adjacent to the parking area. A rooftop amenity space is also proposed.

The proposed amendment seeks to change the zoning from an R4 to an R5 zone, as well as obtain site-specific exemptions as included below:

- Reduced minimum lot width (recognizing an existing situation)
- Reduced minimum front, rear and side yard setbacks (recognizing an existing situation)
- Reduced landscaped area
- Increase in permitted projection of the front canopy

- Reduced parking rate
- Relief from the Heritage Overlay for the eighth floor and at-grade additions
- Permission to add stacked bicycle parking spaces
- Height limited to 26.5 metres.

Staff are also currently reviewing a Site Plan Control application for this development (see Documents 4 and 5).

## **DISCUSSION**

### **Public consultation**

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law Amendments.

Comments were received from three residents, one of which expressed concerns related to the conversion of affordable office space to additional residential rental units. Other comments were neutral or positive.

For this proposal's consultation details, see Document 3 of this report.

### **Official Plan designations**

The subject property is located within the General Urban Area designation on Schedule B of the Official Plan.

### **Other applicable policies and guidelines**

The subject property is located within the limits of the Centretown Secondary Plan. It is within the Apartment Neighbourhood designation on Schedule H1 and the maximum height is limited to 16 storeys on Schedule H2. The property is located within the Northern Character Area in Annex 1.

### **Heritage**

The property is located within the Centretown Heritage Conservation District (By-law 269-97) and designated under Part V of the *Ontario Heritage Act*. A heritage permit will therefore be required before a building permit can be issued. As the applicant's proposal meets the criteria set out under Subsection 33(2)(c) of Schedule J of the Delegation of Authority By-law No. 2020-260, this permit will be issued at staff-level by the Heritage Planning Branch following all other planning approvals.

## **Urban Design Review Panel**

This application was not subject to the Urban Design Review Panel process.

## **Planning rationale**

### **Provincial Policy Statement**

The *Planning Act* requires that all City planning decisions be consistent with the Provincial Policy Statement (PPS) of 2020, a document that provides further policies on matters of provincial interest related to land use development.

The recommended Zoning By-law amendment is considered consistent with the matters of provincial interest as outlined in the *Planning Act* and is in keeping with the PPS of 2020 by promoting the efficient development of existing land use patterns and sustaining healthy, liveable and safe communities.

### **Official Plan**

The site in question is designated General Urban Area on Schedule B of the Official Plan. The General Urban Area designation permits many types and densities of housing, as well as employment, retail uses, service, industrial, cultural, leisure, greenspace, entertainment and institutional uses. The City supports intensification in the General Urban Area where it will complement the existing pattern and scale of development and planned function of the area.

Section 2.2 Managing Growth states that lands designated General Urban Area will continue to mature and evolve through intensification and infill but at a scale contingent on proximity to major roads and transit, and the area's planned function. The proposed development and residential conversion represent this desired intensification. The one-storey increase in height maintains compatibility with the surrounding context. The site's proximity to the Parliament rapid transit station makes it a good candidate for such intensification.

Sections 2.5.1 and 4.11 speak to design and compatibility. The proposal seeks to add a single storey to an existing mid-rise, maintaining its compatibility with the surrounding context. Furthermore, the landscaping and street façade improvements being made will have the effect of enhancing the building's street presence.

Staff are of the opinion that the proposed conversion of an existing seven-storey office building to an eight-storey mid-rise apartment dwelling is in line with Official Plan policies.

## New Official Plan

City staff are currently developing a new Official Plan, presently undergoing stakeholder consultation. With adoption by Council expected in fall of 2021 and an approval from the Ministry of Municipal Affairs and Housing expected in late 2021, staff seek to ensure that proposals reviewed in the interim have regard for the proposed new policies.

Under the new Official Plan, the subject property would be located within the Downtown Core Transect under Schedule A and be designated as a Hub under Schedule B1. The planned function of Hubs is to concentrate a diversity of functions, a higher density of development, a greater degree of mixed land-use, and a higher level of public transit connectivity than the areas abutting and surrounding the hub.

The proposed intensification on this site supports the policies being put forward by the new Official Plan.

## Centretown Secondary Plan

The subject property is located within the Centretown Secondary Plan area. This document is intended to guide future growth and change in Centretown. The subject site is located within the Northern Character Area under Annex 1, which is an area of high-density development that is planned for more residential and mixed-use intensification. Buildings of varying heights are encouraged in the Northern Character Area, in this case limited to 16 storeys according to Schedule H2. These maximum building heights are intended to help ensure compatibility between existing buildings and new development. Although nowhere near the maximum building height permitted, the proposed additional storey is to be clad in light-coloured panelling and ample glazing in order to reduce the appearance of excessive massing. This will help ensure that the modest height increase will not negatively impact the existing character of the area.

Staff are of the opinion that the proposal is in line with the Secondary Plan policies.

## Zoning By-law 2008-250

The property is currently zoned R4UD[479] (Residential Fourth Density, Subzone UD, Exception 479). The R4 Zone permits residential developments up to four-storey low-rise apartment dwellings and the Site-Specific Exception includes “dwelling unit” as an additional permitted use. Seeing as the existing building is a seven-storey office building, and the proposal is for its conversion to an eight-storey mid-rise apartment dwelling, it is suiting that the Zoning By-law amendment would rezone the subject lands to R5B[xxxx] H(26.5) (Residential Fifth Density, Subzone B, Exception xxxx, Maximum Height 26.5 metres). An outdoor amenity area is proposed on the roof, and the rooftop mechanical equipment for the building has been integrated into the upper floor. The R5

zone would reflect the current mid-rise form that is present on the site, similar to other properties in the vicinity, namely the property next door.

Maximum permitted heights in the R5 zone are shown with an H(#) on the Zoning Map. It is proposed that the maximum building height be set at 26.5 metres, which is the height that is being proposed at the top of the eight-storey. While other R5 zones in the area have a maximum height of 19 metres, the proposed eight-storey mid-rise building will remain at a lesser height than that of its westerly neighbour, which is zoned R5B H(19). At 26.5 metres, the proposal remains in keeping with the overall direction of the Official Plan and Secondary Plan and meets the intent of the R5 zone.

While no changes are being proposed to the building envelope (other than the added height and slight change to front entrance), the rezoning seeks to recognize some non-complying setbacks. The request for a reduced minimum lot width from 22.5 metres to 22 metres, for a reduced minimum front yard setback from 3 metres to 1.25 metres, for a reduced minimum rear yard setback from 7.5 metres to 2.78 metres and for a reduced minimum interior side yard setback to 0 and 2.88 metres will have no impact on the surrounding area and meet the intent of the zone.

The Zoning By-law requires lots containing a mid-rise apartment dwelling to have at least 30 per cent of the lot be provided as landscaped area. While the proposal includes no changes to the at-grade footprint and many positive changes to the landscaping treatment of the property, both in the front, side and rear yards, the amount of landscaped area provided remains deficient at 23 per cent (165 square metres).

Table 65 in the Zoning By-law limits canopy projections to a distance equal to half the depth of the front yard, but no closer than 0.6 metres from the front property line. The proposal includes a front canopy over the main entrance to the building which projects 1.2 metres into the front yard, to 0 metres from the front property line. The proposed canopy will not encroach onto the City Right-Of-Way, nor will it create any negative impact on the community or character of the streetscape.

The subject property is located within an Area which does not require parking for the first 12 units of a building. With a requirement of 0.5 spaces per unit after the first 12 units, this proposal is required to provide a total of 17 residential parking spaces as well as three visitor parking spaces. All three visitor parking spaces will be provided, however a reduction in residential parking spaces down to 0 is proposed. Seeing as the subject property is near many amenities and services, as well as being well-served by cycling, walking and rapid-transit infrastructure, staff are of the opinion that the proposed reduction in parking spaces is appropriate.

Section 111(8) of the Zoning By-law requires bicycle parking spaces to be provided either in a horizontal or a vertical orientation. The by-law does not, however, provide provisions for stacked bicycle parking spaces. The proposal includes 18 bicycle parking spaces located within a storage room on the ground floor of the building. The bicycle storage system being proposed is of the stacked variety, which is not contemplated by the Zoning By-law. In an abundance of caution in order to avoid complications at the building permit stage it was found to be appropriate to provide exemption from this particular section of the By-law. Otherwise the standard requirements of bicycle parking spaces are being met (number of spaces, aisle width, etc.).

The subject property is within the Heritage Conservation District and is subject to the Heritage Overlay of the Zoning By-law (Section 60). While the building itself is not designated under Part IV of the *Heritage Act*, it is still subject to these Zoning provisions. Section 60 does not permit additions that would increase the height of a building, and only permits additions located in the rear yard and for which the side yard setback is at least 0.6 metre greater than the existing setback. The proposed additional storey does not meet any of these provisions seeing as it is an addition in height with setbacks equal to those of the existing building. Section 60 further states that additions cannot be located within the front yard. The first floor is proposed to be renovated and brought closer to the street edge, while not protruding beyond the façade of the wall above. Heritage Staff have reviewed the proposal and have no concerns with the additional storey seeing as its design reduces the appearance of excessive massing. Heritage staff are also supportive of the redesign of the ground floor area and additional landscaping.

Staff are of the opinion that the proposed Zoning By-law amendment is appropriate for this site.

## **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

## **COMMENTS BY THE WARD COUNCILLOR**

Councillor McKenney provided the following comment:

“I support the conversion of this office building into a residential building and the proposed public realm improvements. The addition of 45 residential units in this neighbourhood is positive, especially through the conversion of an existing and underused building. The reduced parking rate is appropriate for this highly accessible and walkable location.”

**LEGAL IMPLICATIONS**

There are no legal implications associated with implementing the report recommendation.

**RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with the recommendations of this report.

**ASSET MANAGEMENT IMPLICATIONS**

There are no direct asset management implications with this report.

**FINANCIAL IMPLICATIONS**

There are no direct financial implications.

**ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with this report. Any Ontario Building Code requirements for accessibility will be imposed at the building permit stage.

**ENVIRONMENTAL IMPLICATIONS**

This proposal includes an increase in landscaping, both at the front and rear yard of the property and an overall decrease in hard surfaces.

**TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Thriving Communities
- Sustainable Infrastructure

**APPLICATION PROCESS TIMELINE STATUS**

This application (Development Application Number: D02-02-20-0127) was processed by the "On Time Decision Date" established for the processing of Zoning By-law amendment applications.

**SUPPORTING DOCUMENTATION**

Document 1      Location Map

Document 2      Proposed Zoning By-law Amendment

- Document 3      Consultation Details
- Document 4      Proposed Site Plan
- Document 5      Proposed Ground Floor Rendering

## **CONCLUSION**

The Planning, Infrastructure and Economic Development Department supports the application and proposed Zoning By-law Amendment. The proposal is consistent with the Official Plan policies in the General Urban Area designation as well as the policies contained in the Centretown Secondary Plan. The proposed Zoning By-law amendment is appropriate for the site and maintains policy objectives. The amendment represents good planning and, for the reasons stated above, staff recommends approval of the Zoning By-law amendment.

## **DISPOSITION**

Office of the City Clerk, Council and Committee Services, to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; Krista O'Brien, Program Manager, Tax Billing and Control, Finance Services department (Mail Code: 26-76) of City Council's decision.

Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

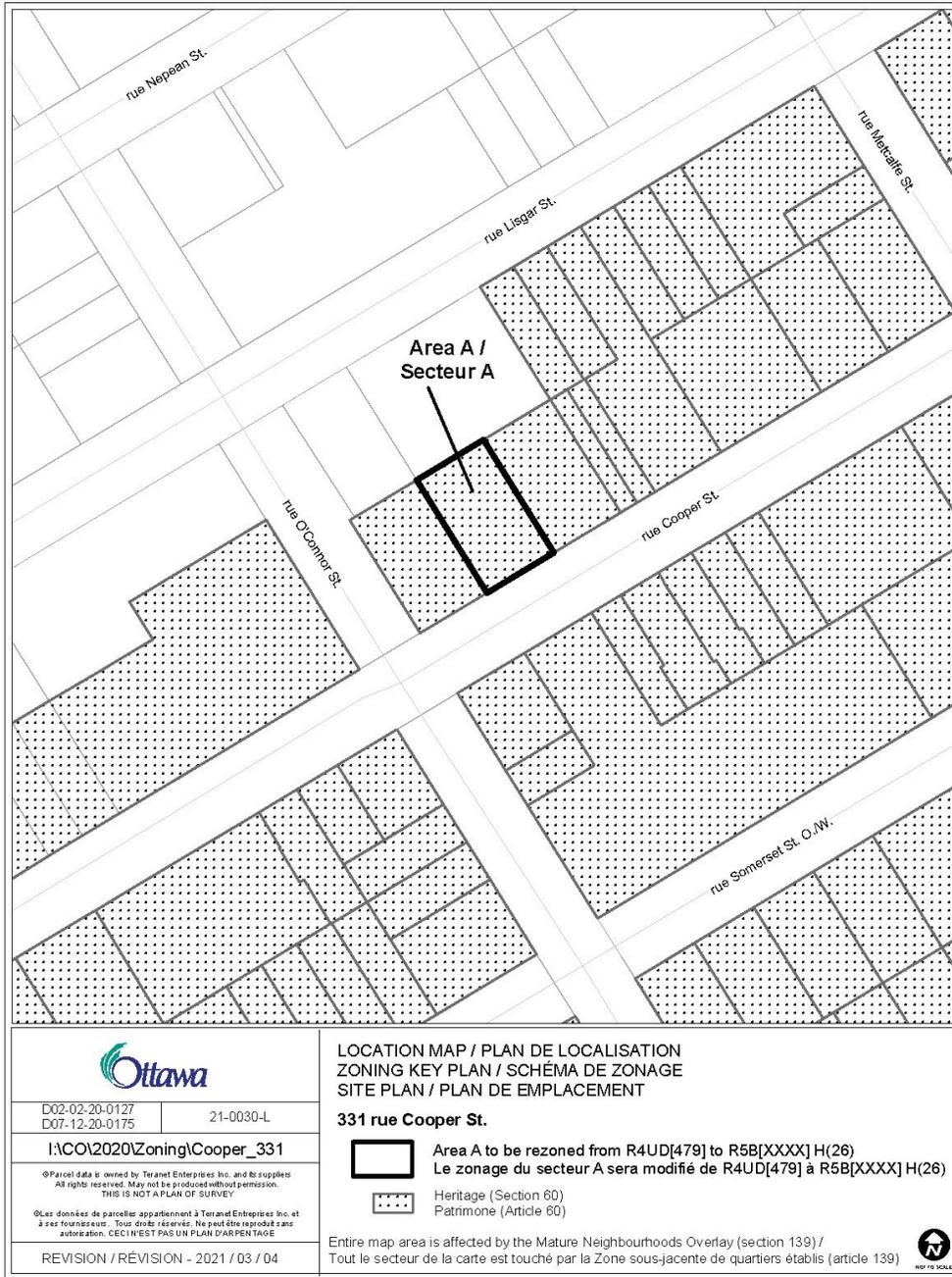
Legal Services, Innovative Client Services Department, to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

## Document 1 – Location Map

For an interactive Zoning map of Ottawa visit [geoOttawa](http://geoOttawa).

A location map showing the property in question located on the north side of Cooper Street, east of the O'Connor Street intersection.



## Document 2 – Details of Recommended Zoning

The proposed change to the City of Ottawa Zoning By-law 2008-250 for 331 Cooper Street:

1. Rezone the lands from R4UD[479] to R5B[xxxx] H(26.5), as shown in Document 1.
2. Add Exception [xxxx] in Section 239, Urban Exceptions, introducing provisions similar in effect to the following:
  - a. In Column II, Applicable Zoning, add the text “R5B[xxxx] H(26.5)”
  - b. In Column V, Provisions, add the following text:
    - i. “Minimum lot width for a mid-rise apartment dwelling: 20 metres”
    - ii. “Minimum front yard setback for a mid-rise apartment dwelling: 1.25 metres”
    - iii. “Minimum rear yard setback for a mid-rise apartment dwelling: 2.78 metres”
    - iv. “Minimum interior side yard setback for a mid-rise apartment dwelling: 0 metres from the west property line, 2.88 metres from the east property line.”
    - v. “Minimum landscaped area for a mid-rise apartment dwelling: 22%”
    - vi. “A canopy may project into the front yard up to a distance of 0 metres from the front property line”
    - vii. “Required number of off-street motor vehicle parking spaces: 0”
    - viii. “Sections 111(8) and 111(11) do not apply”
    - ix. “Section 60 does not apply”

### **Document 3 – Consultation Details**

#### Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments.

#### Comment:

As a small business owner who can't afford high rates, space in this building has been my only option in terms of cost. With employees working from home for an unforeseeable amount of time do we need another rental building in the downtown core or keep this building for small business?

#### Response:

Staff are not in a position to comment on the market demands for particular uses. The proposal has been found to be in line with City policies as it relates to use and built form.



Document 5 – Proposed Ground Floor Rendering

