



24 April 2015

Erin O'Connell, Planner
Development Review (Urban Services)
City of Ottawa
110 Laurier Ave W
Ottawa, ON K1P 1J1

**Re: Application # D01-01-13-0003 (Official Plan Amendment) and
Application # D02-02-13-0021 (Zoning By-law Amendment)**

Dear Ms. O'Connell,

Incorporated in 1969, Action Sandy Hill (ASH) is a volunteer-led not-for-profit community association that for more than 45 years has represented and promoted the interests of Sandy Hill and its residents. One of our primary objectives is to preserve and enhance Sandy Hill's residential integrity and unique urban heritage in architecture and landscapes. To that end, we believe that any development in Sandy Hill should be required to be respectful of the surrounding neighbours and make a positive contribution to the overall community.

With the above in mind, ASH submits this letter regarding the applications for an official plan amendment (D01-01-13-0003) and zoning by-law amendment (D02-02-13-0021) in respect of the properties known as 538, 544 and 560 Rideau Street, and 501 Besserer Street. ASH has previously written to, met with, and otherwise communicated with City staff on this file on numerous occasions, and trusts that any comments or concerns previously raised and not reiterated herein will still be addressed in your report.

This letter will outline our concerns with height, scale, set-backs and mass, as well as the proposed POPS (privately owned publicly accessible spaces), engineering, and overall design.

First and foremost we would like to stress that ASH wants to see Rideau Street returned to a vibrant main street at the heart of the surrounding neighbourhoods. We appreciate that this goal will necessitate accommodating a significant number of new residents along Rideau Street in order to ensure an adequate marketplace that will help local businesses to flourish. With this in mind, ASH is supportive of the proponent's intention to redevelop these sites. In particular, we support their proposal for a mixed-use development with at-grade commercial and residential above, with a separate low-rise residential building on the lot fronting Besserer Street.

In the spirit of ensuring that development at this site will make a positive contribution to the overall community we offer the following detailed comments.

1. Sites, Zoning, Density and OMB

- 1.1. It is very important to break this larger site into its constituent parts which are subject to three distinct zoning provisions.

1.2. Part 1 is the property known as 560 Rideau, in other words the vacant lot between the former Passage to India Restaurant at 544 Rideau and the medical building at the corner of Rideau and Charlotte. This property was the subject of an OMB appeal by ASH (the appellant).

1.2.1. Subsequently, a decision was rendered by the OMB in 2004 (O.M.B. File No. R030231), before the current CDP for Uptown Rideau was written. That decision approved a height of 9-storées with an FSI of 4.25, and setbacks identified in a schedule. Nonetheless, that decision clearly stated that,

“The Board will however withhold issuance of its order until it is advised that a site plan has been approved by the City and that a site plan agreement has been entered into. The City and proponent are to consult with the appellant for its input. This member will remain seized with this matter until the site plan is approved and may be spoken to by the parties if there are any difficulties that arise out of the site plan review process.”

Since the site plan has never been approved, and ASH as the appellant was not consulted on any site plan approval or rezoning, the OMB’s order has in fact never been issued.

1.2.2. We understand that subsequently, as part of a comprehensive rezoning in 2008 that affected some 250,000 properties, the City rezoned this site to reflect the OMB decision. Clearly, since the OMB had never actually issued its order, the City erred in this action. Even so, the site is still subject to a holding provision (h) listed under exception 146 which states that, *“the “h” symbol will not be removed until site plan control approval has been granted by the City of Ottawa.”*

1.2.3. It should also be noted that when the City issued the CDP for Uptown Rideau in January 2005, after the OMB decision, it still identified this entire block of Rideau Street, including lot 560, as having a maximum building height of between 3 and 6-storées. Clearly the policy direction from the City at that time was for mid-rise development on this Part.

1.3. Part 2 includes the properties know as 538 and 544 Rideau, in other words the former Angelo’s Pizza at the corner of Rideau and Cobourg, and the former Passage to India Restaurant next door. The proponent acquired these properties after the OMB hearing for Part 1. This Part clearly has a height limit of 6-storées and an FSI of 3.

1.4. Part 3 is the property known as 501 Besserer Street, in other words, the vacant residential lot on Besserer Street immediately south of Parts 1 and 2. This property is not included within the boundaries of either the current or new Uptown Rideau CDP and is zoned completely differently than Parts 1 and 2.

1.4.1. Richcraft had originally proposed 4 townhouses for this site but now proposes a low-rise apartment building along Besserer Street. The City’s Urban Design Review Panel previously indicated that, *“The Panel supports ground oriented units along Besserer Street. It is a better approach than a free-standing apartment block.”* We concur and would encourage the proponent to return to the townhouse concept for this Part.

1.5. It is important to differentiate between the three zones in this manner for many reasons, not the least of which is that amalgamating them for an FSI calculation could result in a considerably different density than what is actually permitted.

1.6. Furthermore, the consolidation of lots in this manner results in larger-scale development which erodes the original lot fabric and undermines the character of a traditional mainstreet. If the City cannot or will not prevent such consolidation of lots, it must at least strive to ensure that development remains of a scale consistent with the nature of a traditional mainstreet, including the appearance of narrow lot frontages along Rideau.

1.7. The City's Urban Design Guidelines for Development along Traditional Mainstreets reinforces this perspective by including the following guidelines,

- *Use periodic breaks in the street wall or minor variations in building setback and alignment to add interest to the streetscape, and to provide space for activities adjacent to the sidewalk.*
- *Design quality buildings that are rich in architectural detail and respect the rhythm and pattern of the existing or planned, buildings on the street, through the alignment of elements such as windows, front doors, cornice lines, and fascias etc.*

1.8. We would argue that clearly the City's policy direction for this area, including these specific properties, has for decades indicated that this area is not suitable for high-rise buildings but rather is more appropriate for smaller-scale mid-rise development.

2. Height, Scale and Mass

2.1. The 14-storey tower proposed at the corner of Rideau and Cobourg is out of scale with the predominantly low-rise residential neighbourhood immediately surrounding this property. ASH is not alone in taking this view, indeed the City's Urban Design Review Panel expressed, "*serious concerns with regard to the scale of the proposed tower and the compatibility of this project with the neighbourhood context and approved plans.*"

2.2. The City Planner, Bliss Edwards, in her letter to Richcraft dated 26 November 2013 goes on to say that, "*The Panel recommends reducing the height of the tower component*" and that, "*The architect's instinct for the 7-storey option is correct and the views and analysis support this direction.*"

2.3. We understand the argument for greater height on some of the massive and extremely deep lots on the North side of Rideau, but do not believe that such arguments translate to the lots on the South side which have a very different fabric, including a shallow depth of only around 30 metres.

2.4. There has to be meaningful transition from this development to the abutting low-rise properties. We do not believe that any such transition can be made on such a shallow lot, and certainly the proponent's proposal does not include any significant transition. Without any meaningful transition in height we ask, "What kind of development does the city envision on Bresserer if the small lots that remain back a high-rise building with no significant transitions?"

2.5. The City's Urban Design Guidelines for High-Rise Housing recommend that,

In an established urban fabric, orient a high-rise building to:

- *Integrate into the context and address compatibility with the existing or planned context through the massing, setbacks, transitions in building height, and through the design qualities and character;*
- *Maintain a building line along the street that is similar to neighbouring buildings;*
- *Complement the existing pattern of streets, blocks, open spaces, and the building morphology (shape, structure, colour, pattern, and materials);*
- *Define the lower portion of the building with a base or podium that is similar in height, proportions and rhythm to the neighbouring buildings to visually unify the street;*
- *Provide direct links to public transit, sidewalks and streets.*

For the most part these objectives have not been met in this proposal and we have not seen any indication that a meaningful transition in building height can be provided on this site.

2.6. The scale of the store fronts along Rideau is also very important. One of the objectives of the City's Urban Design Guidelines for Development along Traditional Mainstreets is, "To foster compact, pedestrian-oriented development linked to street level amenities".

2.7. Similar to the City's own guidelines for traditional mainstreets, the Cultural Heritage Impact Statement prepared for the proponent states that,

"The proposed layout of the ground floor retail spaces do not appear to have the flexibility to house or promote small businesses but, rather, one or two large retail chains. Small shops with on-street entrances would be more consistent with the heritage character of the neighbourhood, would help generate interest of both residents and visitors and would help create a community hub."

2.8. Finally, the City's Urban Design Review Panel recommended that the proponent, "Make more of an effort to relate to the existing pattern along Rideau Street by further articulating the storefronts and creating a pedestrian-scaled building base."

2.9. We agree with these assessments and recommendations, and as such we would encourage the proponent to reconsider the scale of store fronts along Rideau. We believe that the ground floor should be composed of small businesses, or at least configured to appear as if it is even if the interior space is occupied by larger format retail. For example, this could be achieved by smaller stretches of window walls on the ground floor. This would reinforce the perception of Rideau Street as a traditional mainstreet.

3. Engineering

3.1. We are also very concerned about the potential for damage to neighbouring properties and do not believe that the proponent has adequately addressed this issue. The proposed multi-level underground parking garage will involve significant excavation and, as the proponent's own geotechnical investigation reveals, there is cause for concern, including the presence of sensitive silty (Leda) clay.

3.2. As such, we ask the City to require further geotechnical analysis and to demand a significant bond or surety to protect the neighbouring properties from the type of destructive situation that has occurred on Bruyere and St. Andrew Streets due to the construction of the Water Street Condos.

3.3. We would also like to point out that vehicles entering or exiting this parking garage will have to cross the newly created bicycle lanes on Cobourg, so special consideration must be given to the design to ensure that this does not pose a hazard to cyclists.

4. Privately-Owned, Publicly-Accessible Spaces (POPS)

4.1. As part of the consultation on the development of a new Community Design Plan (CDP) for Uptown Rideau, ASH has previously indicated that we are generally supportive of the concept of privately owned, publically-accessible spaces (POPS) but that we have reservations about their benefit on Rideau Street.

4.2. In particular, the overriding principles and directions of the CDP, including continuity, human scale development and a pedestrian-friendly experience must take precedence and the introduction of POPS must not undermine these objectives. In other words, POPS must be strategically located and well designed. If they are simply used as a bargaining tool in the density transfer game they have no value.

- 4.3. As part of the new CDP for Uptown Rideau the City is proposing significant design requirements for POPS, see attachment for a draft of these requirements. The proponent's proposal to include a POPS on this site should be measured against these requirements, particularly given that the proponent has been a participant in the public process that has led to their development.
- 4.4. A very quick assessment of the proposed POPS demonstrates that it fails to meet a number of the requirements contained in the draft Uptown Rideau CDP. In particular, it is not a regular shape with a ratio of no more than 2:1 as required. Furthermore, it is clearly intended for private use, as patio space for the commercial tenants on the ground floor, and it abuts a parking garage entrance.
- 4.5. As such, the current proposed POPS in its actual form doesn't offer much value to the neighbourhood. The trade-off between this public space and the extra height is not worth it.
- 4.6. We would also like to comment that we felt the plaza located mid-way along the Rideau frontage as proposed in the previous iteration of this plan was far more appealing than the current long, narrow space proposed along Cobourg. We would encourage the proponent to return to the central plaza concept, but to enlarge that space and redesign it to meet the requirements of a POPS if they plan to pursue density transfer.

5. Design and Character

- 5.1. One of the objectives of the City's Urban Design Guidelines for Development along Traditional Mainstreets is, *"To promote development that is compatible with, and complements its surroundings"*.
- 5.2. The Cultural Heritage Impact Statement submitted by the proponent states that,

"The two buildings on the corner of Rideau and Cobourg Street represent two such examples of vernacular interpretations of formal architecture. While they cannot be said as being the most interesting examples of their kind, particularly because of unfortunate modern modifications and their overall context of being situated near an otherwise vacant lot, they remain relevant examples of the evolution of Rideau Street and the Sandy Hill neighbourhood, as examples of a market driven, yet thoughtful intensification of the area in the early 20th century."
- 5.3. We concur with the above and preferred the proponent's previous proposal for the exterior design of the building as it included a clearly defined podium of about 5-storeys, which incorporated brick and stone, which would be far more compatible with and complimentary to the character of the area.
- 5.4. We believe the North and West facades of the podium should be treated in a way that reflects the vernacular architecture of Rideau Street as a mainstreet. For example, brick would be a more suitable material for such facades and other materials should be used at a minimum. Brick should also be the prominent material in proportion to glass and curtain wall type finishes.
- 5.5. Many examples of the façade treatments we would suggest for the podium can be seen on Rideau Street, in fact here is a link to images demonstrating such design:
<https://onedrive.live.com/redir?resid=e0e1d33d49e2fb90!1433&authkey=!ANKP1yOWwsSV-Tk&ithint=folder%2cjpg>

We would like to reiterate that we want Rideau Street to be a vibrant traditional mainstreet. It is a very sad commentary on urban development in Ottawa that this street was just that for nearly a century until large-scale urban renewal initiatives were launched in Lowertown and Sandy Hill in the 1960s. Rideau Street was devastated by those early urban planning initiatives and has never recovered.

We are tired of vacant lots and derelict buildings being common place along Rideau, but we are just as disappointed by the poor quality of most of the new development that has occurred here in the last decade.

Rideau Street is an important entranceway to downtown and indeed to Parliament, and as such it deserves high quality design and development. Likewise, the surrounding diverse, densely-populated, historic neighbourhoods warrant design proposals that are sensitive to the context and character of the area. We hope that the City and the proponent both agree with these objectives and will work towards achieving them.

Thank you for your consideration.

Best regards,

A handwritten signature in blue ink, consisting of a large, stylized 'C' followed by a horizontal line and a small flourish.

Chad Rollins
President, ASH

Encl.

Cc: Mathieu Fleury – Councillor, Ward 12
Matthew Ippersiel – Planner, Uptown Rideau CDP
Liz Bernstein – President, Lowertown Community Association
Kirsten Duke – President, Vanier Community Association

Excerpt from Draft Chapter 4 of Uptown Rideau Community Design Plan

Design Requirements for POPS

POPS must be designed to be welcoming, accessible and comfortable and they must also be clearly open for public use.

Ownership and Access:

- Privately owned, but with a surface easement to allow public access over and use of the site. Public easements will be registered on title and will remain as such in perpetuity.
- Accessible for public use according to the City's regulation for public park access.
- Signage, integrated into the design of the space, must identify the name and address of the space, and clearly indicate that the space is open to the public.

Location and Dimensions:

- Frontage on at least one public street is required (two frontages preferred).
- Must be regular in shape (e.g. square or rectangle), with a length to width ratio of no more than 2:1
- At the same grade level as the adjoining public sidewalk and streets (very minor changes in elevation may be considered).
- The entire area must be fully accessible.
- Fences, gates, hedges, or other barriers to entry are not permitted.
- Visibility into and through the space, from the adjacent street(s) is required.

Surrounding uses/ abutting building facades:

- Edges must be lined with active uses at-grade.
- Blank facades facing POPS are prohibited.
- Private uses of the space (e.g. for outdoor restaurant or café) are prohibited.

Open to sky:

- The space must be wholly open to the sky (permitted exceptions: trees and patio umbrellas).

Obstructions:

- Garage entrances, driveways, parking spaces, loading berths, exhaust vents, mechanical equipment, and garbage storage areas are prohibited. Where any such uses are located adjacent to the space, screening is required.
- The space must include well-designed amenities such as a variety of seating options, waste/recycling bins, bike parking, lighting and electrical power. A balance of hard and soft landscaping, including trees, is required.
- Trees are required.
- The space must be well lit.
- Where planted above an underground structure, trees should have a habit of 12-15m height or less.
- A minimum soil volume of 15 m³ per tree and a minimum planting soil depth of 1.2m is required.
- A minimum soil volume of 3.5 m³ per shrub and a minimum planting soil depth of 600mm is required.
- Contiguous planting pits are preferred.
- Irrigation to all trees, shrubs and ground covers is required.
- Abundant, comfortable, and well-designed seating is required.
- At least two types of seating are required (e.g. moveable chairs, fixed benches, seat walls, fixed individual seating, planter ledges).
- Deterrents to seating, such as spikes, rails or deliberately uncomfortable materials, placed on surfaces that would otherwise be suitable for seating, are prohibited.

Delivery:

- The property owners/applicants are responsible for all costs associated with design and construction of the space.

Operations and Maintenance:

- The property owners are responsible for all costs associated with daily and long-term maintenance and life-cycle renewal of the space.
- Amenities placed in the space by the property owners will be available for public use at all times.
- Changing the public access permission to the space is not permitted.
- Design alterations that change the design or public nature of the space (e.g. addition of fencing and gates, removal of vegetation, removal of signage noting permission for public use, removal of seating or the addition of deterrents to seating) is prohibited and will be controlled by the City.