

# 7.0 MOVING FORWARD

This section presents recommendations on how the Vision and the related priority interventions can be brought forward by the City of Ottawa in partnership with its stakeholders.

To ensure an effective start to project realization, this section opens with a clear 'action list' relating to each of the Vision's big moves. The chapter concludes with a summary of implementation and incentive tools available to the City to bring forward the Vision for the Escarpment District. The implementing policies, programmes and approaches have been crafted to help guide future decision making so that investment opportunities are maximized and to identify potential tools for implementation of the plan and its recommendations.

Sections include:

*7.1 Key Interventions*

*7.2 Implementation & Incentive Tools*

| 1.0  
THE STUDY

| 2.0  
THE FUTURE

| 3.0  
TODAY

| 4.0  
THE VISION &  
FRAMEWORK

| 5.0  
OPEN SPACE  
OPPORTUNITIES

| 6.0  
DEVELOPMENT  
OPPORTUNITIES

| 7.0  
MOVING  
FORWARD

# 7.1 Key Interventions

Realizing the Vision presented by the Escarpment Area District Plan requires a long term commitment and entails a series of both public and private interventions. The first step, clearly must be the endorsement and consensus of the Vision and Plan through Council approval.

Although the timing for much of the privately led physical development will be market-driven, many of the infrastructure and public realm priority projects will need to be led by the City of Ottawa or their public sector partners. Consequently, during the early years of the programme, it is recommended that a focus be placed on implementing those interventions that improve and create settings for new investments.

A critical component of implementation is to identify those key interventions which will bring the plan from vision to reality. Early initiatives should include a number of enabling projects, such as open space designation, partnership building and land assembly, where feasible.

This early phase should also include detailed discussions with land owners in the area to determine how to best bring forward, in partnership, the recommendations for new development presented in this study. Establishing early relationships with the Ottawa Carleton District School Board must be a priority if the City's ambition to establish Upper Town Commons is to be realized.

The table to the right summarizes the most important interventions proposed, identifying a suggested, partnership opportunities and specific actions required to realize each intervention.

Priority Intervention	Led by Public or Private?	New Policy Required?	Actions	Timescale
Upper Town Commons	Public	Secondary Plan (map only) Zoning By-law	Enter negotiations with School Board to secure park space.	Short
			Amend zoning in parallel with above action.	Short
			Establish agreed funding strategy for realization of park (as part of Capital Plan, Section 37 or Development Charges).	Short
			Pursue Community Design Process for park content.	Medium
OCDSB North & South Parcel	Public – Private Partnership	Zoning By-law	Undertake potential design competition for detailed design of park space and adjacent public realm areas.	Medium
			Parcel redevelopment tied to Upper Town Commons development.	-
			Consult with land owners to explore opportunities for comprehensive parcel redevelopment, if desired.	Short
			Consult Local Architectural Conservation Advisory Committee on redevelopment potential.	Short
			If necessary, undertake Heritage Impact Assessment for former Ottawa Technical High School area.	Short
Mid-block Pedestrian Mews	Private	Secondary Plan Zoning By-law	Undertake zoning by-law amendment, based on agreement with School Board.	Short
			Pursue development partner.	Medium
			Introduction of Mews is dependent on realization of above interventions.	-
			Phased build-out as part of Parcel B & C redevelopment.	-
Bronson Park	Public	No	Include Mews design as part of Central Park Community Design Process and Design Competition.	Short
			Transfer control of right of way to City once mews is fully built.	Pending Parcel B & C build out
			Enter into discussions with NCC to encourage upgrade of park.	Short
			Explore options for expansion of Commemorative Trail.	Short
Lower Escarpment Park	Public	No	If vertical connection is sought between upper and lower areas, a partnership agreement between NCC and the City of Ottawa is required.	Medium to Long
			Establish agreed funding strategy for park upgrade.	Medium
			Pursue partnership with NCC to realize park ambition.	-
			Early focus to be on those areas adjacent to base of Escarpment and the Fleet Street connection opportunity. <u>Need to resolve LRT / DOTT routing before parcels around Slater and Bronson can be resolved.</u>	-
			Explore options for expansion of Commemorative Trail.	Medium
South LeBreton	Public – Private Partnership	Secondary Plan Zoning By-law	Pursue design competition in partnership with NCC to raise profile of park space and tie into other NCC open space projects in area.	Medium
			Explore opportunities to expand park programming.	Medium
			Establish funding strategy	Medium
			To be led by NCC with input from the City of Ottawa	-
Heritage Infill Strategy for 'Parcel E' & Cathedral Hill	Private	Potentially	Minimal actions can be undertaken until the routing of the LRT / DOTT is resolved.	-
			Revisit development potential through community planning process (undertake a LeBreton South Masterplanning process). <u>To include discussions with transport provider on securing air rights.</u>	Medium
			Undertake updated Heritage Impact Assessment to inform development of new Heritage Parcel Intensification Strategy.	Long
Public Realm & Streetscape Improvement	Both	No	Enter negotiations with individual land owners in parcels to explore intensification options	Medium to Long
			Prepare detailed design guidelines for heritage integration.	Long
			Intervention tied to individual parcel redevelopment.	-
Public Realm & Streetscape Improvement	Both	No	To be implemented by developers, but coordinated by City. Funding could come from Section 37 or development charges.	-
			Undertake detailed design for intersection treatments along Bronson Avenue, Bay Street and the pedestrian mews.	Short

# 7.2 Implementation + Incentive Tools

Implementation will require the inclusion of enabling provisions in the City of Ottawa's Official Plan - most likely realized through revisions to the Upper Town Secondary Plan - as well as amending the Comprehensive Zoning By-law with the relevant interventions and actions embedded within it, as appropriate.

This section provides a summary of how the objective of the Escarpment District Area Plan can be realized through its integration in the City's regulatory framework, including:

## 7.2.1 The City of Ottawa's Official Plan

Ottawa's Official Plan establishes a design-oriented policy approach to development. To augment the Official Plan's design approach, the priority interventions identified in this study should be integrated into the relevant sections of the existing Secondary Plan for the Central Area and Upper Town specifically. This is the same action that was undertaken for the policy recommendations presented in the Downtown Ottawa Urban Design Strategy in 2004.

Key goals and interventions of this study to be formally adopted into the Official Plan / Secondary Plan include:

- Specific reference made to the creation, size and location of Upper Town Commons. This should include reference to the Graffiti Wall and Nanny Goat Hill Community Gardens. The creation of Upper Town Commons should be specifically identified as part of the core objectives presented in Section 1.10.2 of the Upper Town Secondary Plan.
- Greater emphasis should be placed on the need for enhanced north-south pedestrian permeability through Upper Town. The pedestrian mews should be identified in policy 1.10.3(e).
- Formal recognition of opportunities for high density residential infill development on the blocks bound by Bronson, Bay, Albert & Laurier as part of policy 1.10.3(c).
- Continue to bring forward policy 1.10.3 (e) v. which identifies

enhancements to Bronson Park.

- Reference to the proposal for development of Escarpment Park as a key linkage between the communities of Upper Town and LeBreton Flats.
- Recognition of intensification opportunities along the future DOTT/ LRT route, pending routing. This should include reference to air rights.
- Acknowledgment of further analysis required to explore intensification opportunities in heritage sensitive areas, namely Cathedral Hill and the western end of the Bronson / Slater /Albert / Bay block.
- Continue to bring forward the targeted projects identified in policy 1.10.3(h).

At a minimum, the list of priority strategies identified in the Escarpment Area District Plan could be appended to the Official Plan to provide direction to the staff in charge of relevant public works. The appendix could be updated as projects are completed and new projects contemplated, without requiring formal amendment to the Official Plan.

## 7.2.2 The Comprehensive Zoning By-law

This study provides a wonderful opportunity to incorporate detailed design-oriented approaches into the Comprehensive Zoning By-law 2008-250, especially where significant physical change is anticipated in the Escarpment District study area.

For those areas identified as "likely to change" (refer to Section 4), the recommendations of the Escarpment District Area Plan can be incorporated into Ottawa's zoning via a new by-law that supports more detailed design-oriented zoning categories. These categories would be based on zoning envelope drawings to illustrate height and mass, stepbacks and setbacks, without reference to densities. This approach has been applied successfully to reinvestment areas in other cities where built form takes precedence over land use regulation. It has proven to be extremely flexible, but does require a higher level of precision over the

design parameters to be included within the by-law.

For areas expected to remain stable and identified as "change unlikely", the City could retain its traditional zoning provisions which might be augmented or enhanced with new design provisions to protect the positive attributes of that particular part of the community.

To facilitate the vision for the Escarpment District Area, as presented in this report, the following amendments to the City of Ottawa Comprehensive Zoning By-law 2008-250 are recommended:

- to allow for the introduction of Upper Town Commons, a change will be necessary for the western portion of the Bronson/Laurier/Slater parcel from a Minor Institutional Zone (I1) along Slater Street and an R5 classification along the Laurier Avenue edge to a Community Leisure Facility Zone (L1) across the entire site.
- to allow for the redevelopment of the Ottawa Carleton District School Board lands, the following changes are required:
  - on lands south of Slater Street, a change of use will be necessary from Minor Institutional Zone (I1) to Residential Fifth Density (R5).
  - on lands north of Slater Street, a change of use is required from Minor Institutional Zone (I1) to Residential Fifth Density (R5) if the site is to be primarily residential use. A General Mixed-Use (GM) classification is needed if office development is desired.
  - a revised height plan should be introduced to allow for a range of heights from 15.0 to 72.0 metres (the mix of heights required is dependant upon the development option pursued).
- the north-south pedestrian mews from Laurier Avenue to Albert Street should be defined and classified as a Parks and Open Space (O1).
- when future development options come forward in South LeBreton on the parcels adjacent to the LRT corridor and fronting onto Albert Street, an increase in permitted height will be necessary.
- to allow for full build-out of the site, as illustrated in this report, gross floor space allowances will need to be increased from their current provisions. This will need to be calculated on a parcel by parcel basis, dependent upon the development option pursued.

Detailed amendments to other zoning considerations, such as setbacks, amenity provision, driveway requirements, rear and side yard specifications and loading/servicing requirements will require further analysis.

### 7.2.3 Development Permits

For those areas which have been the subject of more extensive design review, the application of the new development permit system could be considered. The Development Permit is a new planning tool that was added to the Planning Act in 1995 (Section 70.2(1)). Its objective is to allow municipalities to streamline the zoning, minor variance and site plan control processes into one development permit requirement. Under this system, municipalities have greater flexibility to tailor their individual approval process, specifically allowing them to integrate design considerations into otherwise rigid zoning regulations. In addition, a greater degree of authority is granted to staff in approving development applications and minor variations within the permit parameters, thereby reducing Council's role in site-specific planning approvals.

Implementation of the development permit system would require the inclusion of enabling provisions in the Official or Secondary Plans, as well as the drafting of a development permit by-law with the relevant zoning and design criteria included.

### 7.2.4 Site Plan Control Review

An important part of this exercise is to ensure that each individual development proposal adds to the quality of the public experience across the Escarpment District.

Site plan control review is the part of the approval process which most addresses the details of urban design and provides the opportunity to enhance the public realm - be it through specifying the nature and quality of landscape and streetscape treatment, pedestrian and vehicular accessibility, or to a certain extent, architectural treatment. However, in order to realize these benefits, the departments and staff involved in site plan control review must be committed and proactive in implementing

a design-oriented approach. The same can be said of decision-making around the acquisition and treatment of municipal rights-of-way, which also provide the opportunity to enhance the quality of the public realm.

### 7.2.5 Design Review Panel

In July 2005, the City of Ottawa launched a Downtown Design Review Pilot Project to provide impartial professional advice on matters of design that affect the public realm. As part of the Site Plan Control Review, the Downtown Design Review Panel contributes to the development approvals process, but does not replace the process. The Downtown Review Panel can be very effective in ensuring some of the most interesting and high-quality developments in the Downtown Area. The Pilot Project is still in operation and is scheduled to run until 2009 when it will be assessed.

### 7.2.6 Committee of Adjustment

Depending on the permitted zoning, the Committee of Adjustment is a common recourse by which to increase density and height permissions. In many instances, the review and approval process entails consideration of design aspects, some of which are incorporated into the conditions of approval. Due to this focus on design quality, it is of great importance that staff and Committee members ensure that the principles of both the Downtown Ottawa Urban Design Strategy and the recommendations from this study are incorporated into the Committee's recommendations to ensure consistency and the achievement of a cohesive design approach for the Escarpment District.

### 7.2.7 Section 37: Community Gain

When introducing new development to an area, significant financial or physical development benefits can be secured by the City under Section 37 of the Planning Act. Section 37 allows a municipality to accept

such benefits in exchange for an increase to height and density of a development proposal.

Ottawa's Official Plan already contains the requisite policy to allow for increases in height and density in return for the provision of such benefits as public cultural facilities; building design and public art; heritage preservation; protection of rental housing, etc. The policy also provides for the use of Section 37 for other local improvements identified in community design plans, community improvement plans, capital budgets or other implementation plans or studies.

Consequently, many of the priority items for the Escarpment District Plan, such as the open space acquisition strategy for new park spaces, the actual development of Upper Town Commons, the construction of the north-south pedestrian mews, any new public art features, improved streetscape elements and intersection treatments and the enhancement of cultural and community facilities – such as the community Auditorium and Lower Gymnasium – could all be “exchanged” for increases in height and density. It should be noted that the development industry tends to be more accepting of those Section 37 improvements which are located on or adjacent to their own development sites, as these improvements will add value to their own project.

Although this mechanism is intended to apply for re-zonings, the same principle could apply to Committee of Adjustment applications. As the zoning variances would likely be smaller than in a rezoning, the level of contribution could be correspondingly smaller.

### 7.2.8 Bill 51: Planning & Conservation Land Act

Coming into full effect on January 1st, 2007, Bill 51 (Planning and Conservation Land Statute Law Amendment Act) enacted changes to the Province's land-use planning system. The Bill gave the Province and Municipalities increased powers to pass regulations, such as what Official Plans should contain and who must be consulted as part of the

development process. Changes also allowed for the creation of ‘local appeal bodies’ that have jurisdiction over minor variances, legal non-conformance, legal non-compliance and consent matters.

Those sections most relevant to realizing the Escarpment District Area Plan include:

- *Section 26: Official Plan*  
Identifies that a municipality’s official plan is to be updated at least every 5 years and no more than 3 years. In addition, following any OPA update, all zoning by-laws must be reviewed and amended if they do not comply with the OPA. This will ensure that Ottawa’s zoning is in line with its new Official Plan and provides an opportunity to update it if this is not the case.
- *Section 34: Zoning By-laws*  
Establishes that municipalities may regulate the “minimum and maximum” density or height of a development and zone ‘with conditions’ (if its Official Plan contains policies permitting it to). This results in greater input into design quality and form if identified as a condition of additional height or density.
- *Section 41: Site Plan*  
This section strengthens the role of design as part of the approvals process by identifying that “matters relating to exterior design” as well as “sustainable design elements on any adjoining highway under a municipality’s jurisdiction” are required in drawings submitted for site plan approval; provided that the municipality’s official plan and site plan control by-law both specify as such.

- *Section 42: Park Conveyance*  
This section has been expanded so new development construction may not occur if a parks related cash-in-lieu payment has not yet been received. Payment must come first. Reduced or even non-payment is possible if the official plan contains policies permitting a reduction and the council is satisfied no land is available for conveyance.

## 7.2.9 The Heritage Act: Bill 60

On April 28, 2005, changes to the Ontario Heritage Act came into force through the Ontario Heritage Amendment Act (Bill 60). Bill 60 works to strengthen heritage policies contained in a city’s Official Plan by giving the Province and Municipalities new powers to:

- Delay or refuse demolition indefinitely (with a right to appeal to the OMB by the owner) of designated heritage properties.
- Expand the Province’s ability to identify and designate sites of heritage interest.
- Provide clear standards and guidelines for the preservation of heritage properties including enacting by-laws to establish minimum standards for the maintenance of the heritage attributes of individually designated properties. The by-law can also require a designated property, that does not meet the respective standards, to be repaired and maintained to conform to the standards.
- Maintain a registry of properties that includes both designated properties as well as “inventoried” properties considered to be of cultural heritage value. This registry can be used in land use

planning decisions and for potential future protection (e.g. by designation).

- Delegate approval authority to staff to consent to alterations of designated properties, in certain circumstances (by by-law).
- Enhance protection of heritage conservation districts, including bestowing the ability to make by-laws to establish a minimum maintenance standard for heritage conservation districts.

In addition to Bill 60, to further encourage preservation of ‘historic places’, a *Commercial Heritage Properties Incentive Fund* was established by the Federal Government as a 3 year pilot project. The programme, now fully subscribed, provides funding assistance for up to 20% of total conservation costs (to a maximum of \$1 million). Funding can be used for professional design and planning fees, construction costs related to the envelope and interior rehabilitation of the historic property that are specifically linked to the rehabilitation project, landscaping, interest payments on loans for construction costs during the period of construction and any required approval fees.

## making it happen: your next steps

The incentive tools described above will only be successful if City staff are committed and organized appropriately to follow through on the recommendations presented in this report.

As with the DOUDS strategy before it, the Escarpment District Area Plan must not only be a part of all capital initiatives, but is inherent in the review and negotiations which are an integral part of the development review process.

Any development applications coming forward in the study area, whether Rezoning, Committee of Adjustment or Site Plan, should consider the recommendations of this report and tie development approvals back to community gain.

To realize the vision presented in the Escarpment District Area Plan and successfully provide the many benefits that it identifies, the following next steps are required as priority actions:

- Secure a Memorandum of Understanding from the OCDSB to ensure that the intentions of this plan can be realized.
- Recognize the principles and policies of the Escarpment District Area Plan through formal approval by Ottawa City Council
- Integrate the vision and supporting priority interventions into the policy framework, namely the Central Area Secondary Plan
- Direct the Environmental Assessment process for the rapid transit tunnel in the Downtown area to safeguard and integrate development potential on the subject lands.
- In parallel with the above, identify suitable funding mechanism for public-sector interventions. This could include negotiations to cover costs related to the construction of Upper Town Commons and the pedestrian mews. Any future transit and transportation improvements should include sufficient resources to complete meaningful streetscape and public open space improvements.
- Formalize the design of community open spaces, including Upper Town Commons, Bronson Park and Escarpment Park. Where appropriate, this should be done in partnership with the National Capital Commission. A community design process should be followed.
- Promote successes in building a better Ottawa!

By implementing the above strategies with respect to the DOUDS, the City will better address the short term and long term program/community needs in the district, including, but not limited, to the following:

1. Transit and Transportation requirements
2. Municipal Servicing requirements
3. Parks and Open Space
4. Housing First Policy
5. City Manager's mandate of Leveraging Assets
6. Major Downtown program property requirements
7. Intensification
8. Community Gardens